

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.108 of 2015

Arising Out of PS.Case No. -29 Year- 2011 Thana -EAST COLONY District- MUNGER

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Pawan Kumar son of late Shatrughan Prasad Agarwal, resident of
Sabjibagh, opposite of Birla Mandir, Police Station Pirbahore, District Patna
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nirmal Kumar, Advocate

For the Opposite Party/s : Mr. Uday Chandra Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 09-01-2015

Heard learned Counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under Sections 420 and 379 of the Indian Penal Code.

It has been submitted that the Petitioner is in custody
since 28.8.2014 and his implication in the other five cases
mentioned in Paragraph 3 of the petition is on the basis of the
same confessional statement of Ritesh Kumar even though the
material is one and the same.

Considering such aspect of the matter, let the petitioner
above named, be released on bail on furnishing bail bond of Rs.
5,000/-(Five thousand) with two sureties of the like amount each
or any other surety to be fixed by the court concerned to the
satisfaction of Sri S. Ram, Judicial Magistrate, 1st class, Munger in
connection with East Colony P.S. Case No.29 of 2011, subject to



the conditions (i) That one of the bailor shall be Manoj Kumar, brother of the Petitioner and the other bailor will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will undertake to furnish information to the Court about any change in address of the petitioner. (ii) That the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse, (iv) That the petitioner will be well represented on each date if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

In the nature of allegations, the petitioner is directed to appear before the Superintendent of Police, Munger within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the superintendent of

Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

(Anjana Prakash, J)

Narendra/-

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