

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 51661 of 2014

Arising out of P.S. Case No. -167 Year- 2014 Thana -
KESARIA District- EASTCHAMPARAN(MOTIHARI)

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Amarjeet Mukhiya @ Amarjit Mukhiya, Son of Ganesh Mukhiya, Resident of Village-Sundrapur, P.S.-Kesariya, Dist.- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Zainul Abedin (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 05.01.2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the offences under Sections 268, 290, 272, 273 and 420 of the Indian Penal Code and Section 47A of the Bihar Excise Act.

Considering that the Petitioner is the first offender and in custody since 13.08.2014, let him 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 as fixed by the Court to the satisfaction of concerned Judicial Magistrate, 1st Class, East Champaran at Motihari in connection with Kesariya P.S. Case No. 167 of 2014 subject to the following conditions:- (i) That one of the bailors 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 also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is he shall not be released on bail. (iii) 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 the ground of misuse. (iv) 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. (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J.)

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