

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1050 of 2015

Arising Out of PS.Case No. -50 Year- 2012 Thana -DUMARIA District- GAYA

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Krishna Mochi @ Krishna Kumar Son of Ramchandra Mochi, Resident of
Village - Dibhaka, Police Station - Dumaria, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Nikhil

For the Opposite Party/s : Mr. Prem Kr.Jha, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 04-03-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 17 of the Criminal Law (Amendment) Act.

Though the petitioner is named in the F.I.R., vide Annexure-1, as an accused and there is certain allegation against him in that F.I.R. for commission of crime in question, but taking into consideration the fact that he is in judicial custody since 17.07.2014 and the maximum punishment prescribed under Section 17 of the Criminal Law (Amendment) Act, 1908 is three years, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of bail. Accordingly, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sherghati (Gaya) in connection with Dumaria P.S. Case No. 50 of 2012, subject to the conditions that:

(A) Both the bailors shall be the parents of the petitioner,

- (B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and
- (C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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