

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 1158 of 2015

Arising out of P.S. Case No. -72 Year- 2014 Thana -BARAHIYA
District- LAKHISARAI

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Sanjay Mistri @ Sanjay Sharma @ Badhaiba, S/o Shrikant Sharma
@ Shri Kant Mistri, Resident of Village- English Barahiya, P.S.-
Barahiya District- Lakhisarai. Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Adv.
For the Opposite Party/s: Mr. M.K. Khare (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 16.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offences under Section 392 of the Indian Penal Code.

Considering that apart from confessional statement
of the Petitioner there is no further material against him and
his father undertakes his responsibility, 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 as fixed by the Court to the
satisfaction of Chief Judicial Magistrate, Lakhisarai in
connection with Barahiya P.S. Case No. 72 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 and the
other bailor shall be the father of 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 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. (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 and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

In view of the antecedents of the Petitioner, the Petitioner is directed to appear before the Superintendent of Police, Lakhisarai 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.)

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