

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2988 of 2015

Arising Out of PS.Case No. -118 Year- 2014 Thana -ISHAKCHAK District- BHAGALPUR

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Md. Naushad @ Babloo @ Bablu, son of late Md. Naim, resident of
Mohalla Lalu Chak (Gumti No. 12), P.S. Ishakchak, Distt. Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subroteswar De, Adv.

For the Opposite Party/s : Mr. S.N.Shukla(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 23-01-2015

Heard learned Counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the
offence under Sections 448, 341, 323, 366A and 506 of the Indian
Penal Code.

Considering that the alleged victim did not allege any
sexual misbehaviour at the hands of the Petitioner who has fair
antecedent, 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 Nishit Dayal, Judicial
Magistrate, 1st Class, Bhagalpur, in connection with Ishakchak
P.S. Case No. 118 of 2014 (G.R. Case No. 3858 of 2014) subject
to the 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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