

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1812 of 2015

Arising Out of PS.Case No. -12 Year- 2014 Thana -MAHILA P.S. District- SHEOHAR

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1. Avishek Kumar @ Nicky @ Avishekh Kumar S/o Hari Shankar Prasad
resident of Village Madhopur Anant P.S. Sheohar District Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sunil Kr. Panday, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 16-01-2015

Heard learned Counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under Sections 376(2)(1), 147, 148, 149, 447, 323, 324,
504 of the Indian Penal Code and 4 of the POSCO Act.

Considering that there is no allegation that the Petitioner
had raped the victim or that he has bad antecedents, 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 learned Special Judge, POSCO, Sheohar,
District Sheohar in connection with Sheohar Mahila P.S. Case
No.12 of 2014, subject to the conditions (i) That one of the 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 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 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 if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J)

Narendra/-

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