

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2045 of 2015

Arising Out of PS.Case No. -240 Year- 2014 Thana -DHAMDAHA District- PURNIA

Mithu @ Mithilesh Mandal @ Mithu Mandal son of Sri Madan Mandal,
resident of village- Haripur, P.S.- Dhamdaha, District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Arun Kr.Singh 5(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 29-01-2015 Defects ignored.

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under sections 363 and 366 (A), 120(B) and 34 of the
Indian Penal Code.

Considering that the petitioner has not committed any
mis behavior with the alleged victim and he is in jail custody since
23.09.2014, let the petitioner Mithu @ Mithilesh Mandal @ Mithu
Mandal, 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 below to the satisfaction of
Shri R.K. Sinha, learned Judicial Magistrate 1st class, Purnea in
connection with Damdaha P.S.Case No. 240 of 2014 subject to the
conditions (i) That one of the bailors will be close relative of the
petitioner, who will give an affidavit giving genealogy as to how

he is related with the petitioner. The bailors will undertake to furnish information to the Court about 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 bailors shall also state on affidavit that they 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 the 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, and v) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Anjana Prakash, J)

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