

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1956 of 2015

Arising Out of PS.Case No. -199 Year- 2014 Thana -KHODAWANDPUR District- BEGUSARAI

Kamaldeo Mahto, son of late Ram Charitra Mahto, Resident of Village -
Phaphaut, P.S. - Khodawandpur, District : - Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Md.Aslam Ansari, (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 19-01-2015 Heard learned Counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the
offence under Sections 364, 328, 34 of the Indian Penal Code and
Sections 25(1-b)a and 35 of the Arms Act.

Considering that there is no allegation against the
Petitioner of having kidnapped the Informant and he has fair
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 Sri R.K. Dwivedi,
Judicial Magistrate, 1st Class, Begusarai, in connection with
Khodawandpur P.S. Case No. 199 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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