

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19112 of 2015

Arising Out of PS.Case No. -11 Year- 2014 Thana -PARAIYA District- GAYA

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Lala Kumar son of Narayan Mahto, resident of Village- Naili, Police Station- Magadh Medical, District- Gaya (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. A.K.Chaudhary(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 16-06-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Paraiya P.S. Case No. 11 of 2014 registered for offence under section 395 of the Indian Penal Code.

As per the allegation in the first information report, some miscreants intercepted the informant, snatched his motor cycle and resorted firing due to which the informant fell down. The accused person also took away the motorcycle of the victim and left his own motor cycle.

The counsel for petitioner submits that the petitioner has not been named in the first information report, so much so, no recovery has been made from his possession nor he has been put on T.I.P., he is in custody since 8th July 2014 and similarly

situated person, namely, Niran Kumar @ Neeraj Kumar has also been granted bail by this Court in Cr. Misc. No. 49817 of 2014.

The petitioner carries two more criminal cases over his head.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Miss Kalpana Srivastava, Judicial Magistrate 1st class, Gaya in Paraiya P.S. Case No. 11 of 2014, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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