

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3988 of 2015

Arising Out of PS.Case No. -35 Year- 2014 Thana -TAJPUR District- SAMASTIPUR

Birendra Prasad Singh @ Lalu Singh @ Lalo Singh, S/O Late
Asharfi Singh R/O Vill.-Songar, P.S-Tajpur, Distt.-Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Manoj Kumar(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA
PRAKASH
ORAL ORDER

2 15-04-2015 Heard learned Counsel for the petitioner and the State.

The petitioner was refused bail by the order dated
8.1.2015 passed in Cr. Misc. 23308 of 2014.

The Petitioner was refused bail earlier but had been
granted liberty to renew his prayer for bail after framing of charge.

It has been submitted that now charges have been
framed as is evident from Annexure-6.

In view of such, 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
Additional Sessions Judge-V, Samastipur, in connection with
Tajpur P.S. Case No. 35 of 2014, Sessions Trial No. 299 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 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.

The Trial Court is directed to send a list of the witnesses **fixing specific dates** for production of the witnesses along with a copy of this order in connection with Tajpur P.S. Case No. 35 of 2014, Sessions Trial No. 299 of 2014, to the Superintendent of Police, Samastipur, and the Superintendent of Police, Samastipur, is directed to ensure production of the witnesses on the date so fixed by the Trial Court so that there is no further delay in trial.

(Anjana Prakash, J)

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