

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 13684 of 2015

Arising out of P.S. Case No. -5 Year- 2014 Thana -THARTHARI
District- NALANDA (BIHARSHARIFF)

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Md. Salam @ Md. Aslam son of Late Md. Firoz, resident of Mohalla-
Simroll, P.S.- Bathani, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tanuja Kumari (Mishra), Adv.

For the Opposite Party/s : Mr. S.D.Singh Yadav (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 15.04.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offences under Sections 395 and 412 of the Indian Penal Code.

The Petitioner was granted bail by order dated
08.01.2015 vide Cr. Misc. No. 22906 of 2014 but on condition
that an affidavit would be filed on his behalf that he has fair
antecedents. Since the Petitioner was accused in two cases
such an affidavit could not be filed and he remained in
custody. This was done due to inadvertence.

Considering that on merits the Petitioner was granted
bail, 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 as fixed by
the Court to the satisfaction of Chief Judicial Magistrate, Hilsa,
Nalanda in connection with Tharthari P.S. Case No. 05 of 2014
subject to the following 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 and the other bailor shall be the wife of 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 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. (iii) 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. (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 Petitioner is directed to deposit a sum of Rs. 500/- in the District Legal Aid Committee, Nalanda before he is released on bail.

(Anjana Prakash, J.)

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