

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12551 of 2015

Arising Out of PS.Case No. -235 Year- 2014 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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Guddu Singh son of Late Raghunath Singh, resident of village- Tikuliya,
P.S.- Pipra, District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. C.Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 26-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 498A, 307 and some other allied offences under the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submits that though the petitioner happens to be the husband of the informant, but the present criminal case was lodged since the petitioner wanted to transfer certain lands to his brother. It is further contended that on close of investigation charge sheet has not been submitted under Section 307 of the Indian Penal Code but only for the offence under Sections 341, 323, 498A, 504/34 of the Indian Penal Code. It is also contended that the petitioner is in judicial custody since 15.11.2014.

Taking into consideration the aforesaid aspect, the prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sadar at Motihari in connection with Pipta P.S. Case No. 235 of 2014 (Tr. No.

2374/2015), subject to the conditions that:

- (A) One of the bailors must be a government servant or close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,
- (B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and
- (C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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