

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1818 of 2015

Arising Out of PS.Case No. -70 Year- 2014 Thana -KHAIRA District- SARAN

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Kundan Rai, son of Bala Rai, resident of Village - Khadipur, P.S. Khaira –
(Nagara), District - Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary, Adv.

For the State : Mr. Ramesh Chandra, (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 16-01-2015 Heard learned counsel for the Petitioner and the State.

The Petitioner seeks anticipatory bail in a case
instituted for the offence under Sections 341, 323, 324, 354 and
504/34 of the Indian Penal Code.

Considering that there is a counter version of the
occurrence and the fair antecedents of the Petitioner, let the
Petitioner in the event of surrender, named above, within four
weeks from the date of receipt of this order, in connection with
Khaira (Nagara) P.S. Case No. 70 of 2014, shall be released on
anticipatory 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
Chief Judicial Magistrate, Chapra (Saran), 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. 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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