

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18921 of 2015

Arising Out of PS.Case No. -63 Year- 2015 Thana -ITADHI District- BUXAR

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Om Prakash Singh Son of Ramadhar Singh resident of Village- Khatiba, P.s
- Itarhi, District- Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate.

For the Opposite Party/s: Mr. R. B. Roy Raman (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 18-06-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Sections 323, 324, 326 and 341/34 of the Indian Penal Code and that there seems to be a bona fide land dispute between the parties as well as digging the earth of the aforesaid land for fixing an electric pole, this Court, keeping in view that the petitioner has got no criminal antecedent, would find him entitled for grant of privilege of anticipatory bail.

That being so, if the petitioner namely Om Prakash Singh surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Itarhi P. S. Case No. 63/2015, subject to the following conditions:

- (i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be



granted bail and would be taken into custody.

- (ii) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.
- (iii) That the affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.
- (iv) That the bailors 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 his bail on the ground of misuse.
- (v) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Sujit/-

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