

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47143 of 2014

Arising Out of PS.Case No. -37 Year- 2014 Thana -WAJIRGANJ District- GAYA

Nand Kishore Singh S/o Late Raj Kumar Singh resident of village - Kajha,
P.S. Wazirganj, District - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Binod Kumar 2 (App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 30-04-2015 Learned counsel for the petitioner prays for and is
allowed to make necessary correction in paragraph no.1 of this
application.

Heard learned counsel for the parties.

Having regard to the allegation for offence under
Section 341, 323, 504 and 354 of the Indian Penal Code and
Section 3 (i)(ii) of the S.C./S.T. Act and that there seems to be a
land dispute to be the reason for the allegation brought against the
petitioner, who is said to be owner of the land, and that he has also
got no criminal antecedent, this Court would direct that if the
petitioner, namely, Nand Kishore 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/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in connection with Wazirganj P.S. Case No. 37 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to 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 a close relative of the petitioner who will give 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 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 the 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 and every date 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)

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