

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 13271 of 2015

Arising out of P.S. Case No. -40 Year- 2014 Thana -
KHUDWAN District- AURANGABAD

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Bineshwar Sao @ Binesh Sao S/o Foujdari Sao R/o village -
Fesra, P.S. Pouthu, District – Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr. Manoj Kumar 1 (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 25.05.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner is apprehending his arrest in a case
registered under Sections 302 and 201 of the Indian Penal
Code.

Considering that apart from confessional statement
of the co-accused there is no direct material against the
Petitioner and he has fair antecedents, let him be released on
anticipatory bail in the event of arrest or surrender before the
learned Court below within a period of four weeks from the
date of receipt of the order 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 Sub-divisional Judicial Magistrate, Aurangabad
in connection with Khudwan P.S. Case No. 40 of 2014 subject

to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also 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.

Vikash/-

(Anjana Prakash, J.)

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