

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.91 of 2015

Arising Out of Complaint Case No.1758 Year- 2007 District- GOPALGANJ

=====

Binda Singh @ Binda Rai, son of late Rajbali Singh, resident of village Mainpur, P.S. and Distt. Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ghulam Rabbani, Adv.

For the State : Mr. Lalan Kumar, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 08-01-2015

Heard learned counsel for the Petitioner and the State.

The petitioner apprehends his arrest in a case instituted for the offence under Section(s) 147, 148, 341, 323, 324, 307, 302, 427, 448, 435, 504 and 149 of the Indian Penal Code.

It has been submitted that the present prosecution is a counter blast of a case instituted for the murder of the son of the Petitioner which ended in a Final Report but the case proceeded in protest-cum-complaint petition.

In view of the aforesaid, it is ordered that in the event of surrender/arrest of the Petitioner, named above who has fair antecedent, within four weeks from the date of receipt/production of a copy of this order, in connection with Complaint Case No. 1758 of 2007, corresponding to Tr. No. 1743 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 below to the satisfaction of

Sri R.K. Tripathi, Judicial Magistrate, 1st Class, Gopalganj, subject to the conditions as laid down under Section 438(2) Cr. P.C. and

(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)

S.Ali/-

U		T	
---	--	---	--