

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.118 of 2015**

Arising Out of PS.Case No. -617 Year- 2014 Thana -MOTIHARI TOWN District- EAST  
CHAMPARAN (MOTIHARI)

Harendra Singh, son of late Ram Sundar Singh, r/o Mohalla Kolhuarwa  
Dalit Tola, P.S. Nagar, Distt. East Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Patanjali Rishi, Adv.

For the State : Ms. Asha Devi (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) 272, 290 of the Indian  
Penal Code and Section 47(A) of the Excise Act.

Considering that the alleged incriminating articles were  
not recovered from the house of the Petitioner but from that of co-  
accused, 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 Nagar P.S. Case No. 617 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  
Chief Judicial Magistrate, East Champaran, Motihari, 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.

S.Ali/-

**(Anjana Prakash, J)**

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