

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40122 of 2015

Arising Out of PS.Case No. -5 Year- 2013 Thana -LAHERIASARAI District- DARBHANGA

Lakhan Paswan S/o Late Mohan Paswan resident of Vill. - Ekmighat, P.S.
Bahadurpur, District - Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Adv.

For the Opposite Party/s : Mr. Abhay Kr. Roy(APP)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 30-09-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Sections 406, 420, 467, 468, 471, 120B of the Indian Penal Code and the fact that the petitioner was not even named in the First Information Report as well as the petitioner has got no criminal antecedent, this Court, by also taking into account that the co-accused, namely, Rajeshwar Choudhary, having similar case alike the petitioner, has been granted anticipatory bail by order dated 20.8.2015 in Cr. Misc. No. 33000 of 2015, would be also inclined to grant anticipatory bail to the petitioner.

That being so, if the petitioner, namely, Lakhan Paswan 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 Chief Judicial Magistrate, Darbhanga in connection with Laheria Sarai P.S. Case No. 5 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-

- (i) That both the bailors will be a close relative 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.
- (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 bailors shall also state on affidavit that they 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 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.

Rishi/-

(Mihir Kumar Jha, J)

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