

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15521 of 2015

Arising Out of PS.Case No. -539 Year- 2014 Thana -MADHEPURA District- MADHEPURA

Vikash Jaiswal Son of Shri Ashok Kumar Choudhary Resident of Village -
Gauripur, Police Station - Singheshwar, District - Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar

For the Opposite Party/s : Mr. Sahin Begam(App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

4 05-10-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Sections 188, 406, 420, 120(B) of the Indian Penal Code and Section 47(A) of the Excise Act and that the petitioner claims to be the first offender in such cases as also that he has got no criminal antecedent, this Court would be inclined to grant privilege of anticipatory bail to the petitioner.

That being so, if the petitioner, namely, Vikash Jaiswal 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, Madhepura in connection with Madhepura P.S. Case No. 539 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 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)

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