

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40116 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
DARBHANGA

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Bhola Mahto Son of Late Ram Bilash Mahto Resident of Malpatti, P.S.
Kamtaul, District - Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 30-09-2015

Heard learned counsel for the parties.

Having regard to the fact that the petitioner faces prosecution for offence under section 47(A) of the Excise Act and that the petitioner claims that he has got no criminal antecedent, this Court would direct the petitioner, Bhola Mahto, to surrender before the court below within a period of four weeks from today and if he does so, 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 the Chief Judicial Magistrate, Darbhanga in G.O.Case No. 1/2015, subject to the following conditions:

(i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be

granted bail and would be taken into custody.

(ii) That both the bailors will be a close relative of the petitioner who will give 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.

(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 be well represented on each and every date 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.

surendra/-

(Mihir Kumar Jha, J)

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