

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32241 of 2014

Arising Out of PS.Case No. -39 Year- 2012 Thana -BUXAR MUFFSIL District- BUXAR

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Bantu Choubey @ Brij Kishore Choubey, s/o Narad Muni Choubey,
resident of village - Chhotaki Sarinpur, P.S. - Buxar (T), Dist. - Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anuradha Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 12-01-2015 Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the
offence under Sections 414 Indian Penal Code and Sections 3/4
Explosive Substance Act.

Considering that there is no direct material against the
Petitioner who is in custody since 2.6.2014, let the Petitioner
above named, be released on 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, Buxar, in connection
with Buxar (M) P.S. Case No. 39 of 2012 subject to the following
conditions: (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 and the other shall be the nephew(Bhagina) of the Petitioner namely, Sushant Tiwary. 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.

In the nature of allegations, the Petitioner is directed to appear before the Superintendent of Police, Buxar, within fifteen days of his release with a copy of this order and every two weeks thereafter for the next six months. The conduct of the Petitioner will be kept under watch in this period by the Superintendent of

Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the Petitioner before the court concerned.

(Anjana Prakash, J)

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