

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22864 of 2014

Arising out of P.S. Case No. -173 Year- 2013 Thana -
SONBERSA District- SITAMARHI

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Sarvind Das Son of Shivjee Das Resident of Village- Bakhari,
P.S.- Bathnaha, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s: Mr. Abhay Kr. 1 (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 06.01.2015

Heard learned counsel for the Petitioner,
Informant and the State.

The Petitioner seeks bail in a case instituted for
the offences under Section 395 and 397 of the Indian
Penal Code.

Considering that apart from vague material that
the Petitioner was seen near the place of occurrence on
the previous night and is accused in only other case, let
him 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 as fixed by the Court to
the satisfaction of Sub-Divisional Judicial Magistrate,
Sitamarhi in connection with Sonebarsa P.S. Case No.
173 of 2013 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 bailor shall be the brother of the Petitioner namely Arvind Kumar. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) 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. (iii) 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. (iv) 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.

The Petitioner shall file an affidavit that he is accused in one other case i.e. Sonebarsa P.S. Case No. 180 of 2013.

(Anjana Prakash, J.)

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