

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42751 of 2014

Arising Out of PS.Case No. -89 Year- 2014 Thana -MATIHANI District- BEGUSARAI

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Sumit Kumar Son of Sri Ganesh Singh, Resident of Village -
Ramnagarramdhiri, Nichala Tola, P.S.- Matihani, Distt- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 10-04-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 302/34 as also under Section 27 of the Arms Act.

Taking into consideration the fact that the petitioner is not named in the F.I.R. vide Annexure-1 as an accused and the criminal prosecution against him is based on suspicion and surmises and further taking into consideration the fact that the petitioner is in judicial custody since 02.08.2014, this Court is inclined to accede to the prayer for grant of bail. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Begusarai in connection with Matihani P.S. Case No. 89 of 2014, subject to the conditions that:

- (A) One of the bailors must be government servant or close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,

- (B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and
- (C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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