

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48989 of 2014

Arising Out of PS.Case No. -44 Year- 2014 Thana -HATHIDAH District- PATNA

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Sharwan Mahto S/o Ramdas Mahto R/o Vill - Dariyapur, P.S. - Hathidah,
Dist - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Sanjay Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 03-03-2015 Heard learned counsel for the Petitioner and the

State.

The Petitioner seeks bail in a case instituted for the
offence under Sections 341,, 323, 325,307 and 379/34 of the
Indian Penal Code.

Considering the counter version of the occurrence
and the parties are related having land dispute between them as
also the petitioner has fair antecedent, let the Petitioner, above
named, be released on bail on furnishing bail bond of 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 the
learned Additional Chief Judicial Magistrate, Barh, in connection
with Hathidah P.S. Case No...44 of 2014., subject to the

conditions:

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- (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. The bailors will undertake to furnish information to the court about 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 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, and

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.

(Anjana Prakash, J)

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