

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51600 of 2014

Arising Out of PS.Case No. -157 Year- 2012 Thana -BIHARIGANJ District-
MADHEPURA

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Roshan Kumar @ Roshan Yadav, son of Bhupendra Yadav, resident
of village Lokha, P.S & District Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the State : Ms. Rita Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 05-01-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the
offence under Sections 379 and 411 of the Indian Penal Code.

Considering that the Petitioner is in custody since
3.6.2014 on account of the subsequent material that the stolen
motorcycle was recovered from his possession and now his younger
brother namely, Nand Kishore Kumar, undertakes his responsibility,
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 Sri Pradeep Kumar Choudhary, Judicial Magistrate, 1st
Class, Udakishunganj (Madhepura), in connection with Bihariganj
P.S. Case No. 157 of 2012, G.R. No. 2000 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 elder brother of the Petitioner namely, Nand Kishore 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.

In view of the antecedents of the Petitioner, the Petitioner is directed to appear before the Superintendent of Police, Madhepura, within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine 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.

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(Anjana Prakash, J)

