

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1794 of 2015

Arising Out of PS.Case No. -163 Year- 2013 Thana -RAXAUL District- EAST CHAMPARAN
(MOTIHARI)

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Kishun Sah, Son of Late Suresh Sah, Resident of Village - Simra,
Lahladpur, P.S. - Saraiya, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar Mishra, Adv.

For the State : Dr. Indihar Kumari, (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 15-04-2015 Heard learned Counsel for the petitioner and the State.

The petitioner was refused bail by the order dated 25.9.2014 passed in Cr. Misc. 35524 of 2014 but has been granted liberty to renew his prayer for bail after framing of charge.

Annexure-4 reveals that now charges have been framed.

Considering such aspect of the matter, 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 concerned to the satisfaction of Sri Kamla Prasad, Judicial Magistrate, 1st Class, Raxaul, Motihari, in connection with Raxaul P.S. Case No. 163 of 2013 (Trial No. 1293 of 2013), subject to the 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. 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 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 meanwhile, the Trial Court is directed to send a list of the witnesses **fixing specific dates** for production of the witnesses along with a copy of this order in connection with Raxaul P.S. Case No. 163 of 2013 (Trial No. 1293 of 2013), to the Superintendent of Police, Motihari, East Champaran, and the Superintendent of Police, Motihari, East Champaran, is directed to ensure production of the witnesses on the date so fixed by the Trial Court so that there is no further delay in trial.

(Anjana Prakash, J)

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