

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9654 of 2015

Arising Out of PS.Case No. -268 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

1. Ram Kishun Prasad Son of Lal Babu Rai Resident of Village - Mathiya
Bhopat, P.S. Lakhaura, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

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

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 10-04-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has been in custody since 25.07.2014 in
connection with Motihari Town P. S. Case No. 268 of 2014
registered under Sections 302,120 (B) and 34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that though
the petitioner is named in the F.I.R., but there is no specific
allegation against him and other similarly situated persons, who
were also named in the F.I.R., have been extended the privilege of
regular bail vide order dated 03.03.2015 passed in Cr. Misc. No.
47628 of 2014, Cr. Misc. No.51476, Cr. Misc. No. 229 of 2015
and Cr. Misc. No. 1303 of 2015.

Considering the aforementioned submissions and also
the fact that the petitioner stands similarly situated circumstance,
let the petitioner Ram Kishun Prasad be released on furnishing

bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 268/2014, subject to the conditions: (i) That one of the bailors will be 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 the 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 v) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Anjana Mishra, J)

Sudha/-

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