

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1498 of 2015

Arising Out of PS.Case No. -157 Year- 2014 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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Kishore Prasad @ Kishori Sah, Son of Late Mukhlal Sah, Resident of
Village - Sri Rampur P.S- Raxaul District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Rajendra Prasad Nat, Addl.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 04-03-2015

Heard.

The petitioner seeks bail in a criminal prosecution registered under Sections 394, 302, 201/34 of the Indian Penal Code. However, subsequently, offence under Section 411 I.P.C. was also added.

Taking into consideration the fact that the petitioner is not named in the FIR vide Annexure-1 as an accused and further taking into consideration the fact that he is said to be an old person aged about 70 years and he is in judicial custody since 02.09.2014, his prayer for bail is allowed. 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 S.D.J.M., Raxaul at Motihari, East Champaran in connection with Ramgarhwa P.S.Case No.157 of 2014, subject to the conditions that:

- (a) One of the bailors must be either 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 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;
- (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 date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Arvind/-

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