

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 1367 of 2015

Arising out of P.S. Case No. -17 Year- 2014 Thana -
GOBARDHANA District- WESTCHAMPARAN (BETTIAH)

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Baleshwar Musahar Son of Late Mahanth Musahar Resident
of Village - Kanghysari, P.S. Gobardhana, Distt. - West
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Adv.

For the Opposite Party/s: Mr. Iftekhar Mahmood (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 16.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Sections 302 and 201/34 of the Indian
Penal Code.

Considering that no direct material with regard
to the actual murder at the hands of the Petitioner who
has fair antecedents, let him 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
as fixed by the Court to the satisfaction of Sri P. Krishna,
Judicial Magistrate, 1st Class, Bagaha, West Champaran
at Bettiah in connection with Gobardhana P.S. Case No.
17 of 2014 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. 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 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. (v) 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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