

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3327 of 2015

Arising Out of PS.Case No. -100 Year- 2014 Thana -DAWATH District- SASARAM (ROHTAS)

Madan Paswan

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. R.B. Roy “ Raman”, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL ORDER

2 27-01-2015 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 399 and 402 of the Indian Penal Code and Section 25 (1-b), 26 and 35 of the Arms Act.

Considering that there is no recovery of fire arms from the conscious possession of the petitioner and he has remanded in three other cases and the petitioner is in custody in the present case since 13.9.2014, his mother-in-law undertakes his responsibility, let the petitioner, Madan Paswan, 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 the learned Judicial



Magistrate, 1<sup>st</sup> class, Bikramganj, Rohtas in connection with Dawath P.S.Case No. 100 of 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 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, 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, and iv) 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.

In view of the nature of allegations, the petitioner is directed to appear before the Superintendent of police, within fifteen days of his release with a copy of this order and every two weeks thereafter for the next six 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.

(Anjana Prakash, J)

Sudha/-

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