

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2509 of 2015

Arising Out of PS.Case No. -240 Year- 2014 Thana -SARAIYA District- MUZAFFARPUR

1. Birmani Kumar Son of Dina Nath Gupta Residence of Village:- Bhakhara, P.S.- Saraiya, District:- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr. S.M.Rahman(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 22-01-2015 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under sections 379 and 411 of the I.P.C.

Considering that the petitioner is in custody since 09.10.2014 and has fair antecedents, let the petitioner Birmani Kumar, 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 S.D.J.M. (West), Muzaffarpur in connection with Saraiya P.S.Case No. 240/2014 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 Prakash, J)

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