

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 3189 of 2015

Arising out of P.S. Case No. -150 Year- 2013 Thana -DUMRAUN
District- BUXAR

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Munna Ojha @ Praveen Kumar Ojha @ Parveen Ojha, S/o Raj
Narayan Ojha, Resident of Village-Kharhanatand, P.S.-Simri, Distt.-
Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Choubey, Adv.

For the Opposite Party/s: Mr. Nawal Kishore Prasad (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL ORDER

02. 23.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offences under Sections 302 and 307/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Considering the liberty having been granted to the
Petitioner vide Annexure-1 and the fact that now charge has
been framed but not a single witness has been examined and
the Petitioner undertakes to be physically present on each date
of trial as also he has fair antecedents, let the Petitioner, above
named 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 Additional Sessions Judge-III, Buxar in
connection with Dumraon P.S. Case No. 150 of 2013 (Tr. No. 85
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 be physically present on each date of trial and if he fails to do so on two consecutive dates without reasonable cause, his bail shall stand automatically cancelled.

The Trial Court is directed to expedite the trial and for which reason it shall send a list of the witnesses **fixing specific dates** for production of the witnesses along with a copy of this order, to the Superintendent of Police, Buxar, and the Superintendent of Police, Buxar is directed to ensure production of the witnesses on the date so fixed by the Trial Court so that there is no further delay in trial.

(Anjana Prakash, J.)

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