

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12514 of 2015

Arising Out of PS.Case No. -51 Year- 2013 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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Vikash Mishra @ Vishal Mishra, S/o Late Tuntun Mishra, Resident of
Village Naya Tola Madhumalat (Amawa), P.S. Turkauliya, District East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Pandey

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 28-05-2015

Heard.

The petitioner seeks bail in a criminal prosecution registered under Sections 384, 307/34 of the Indian Penal Code as also under Section 27 of the Arms Act.

Taking into consideration the fact that the petitioner is not named in the FIR vide Annexure-1 as an accused, though another person is named in the FIR as an accused and further taking into consideration the fact that he is in judicial custody since 08.07.2013, 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 in connection with Ramgarhwa P.S.Case No.51 of 2013, subject to the conditions that:

- (a) One of the bailors must be 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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