

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30255 of 2014

Arising out of PS. Case No. -100 Year- 2014 Thana -Ara Muffsil District- Bhojpur

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Vishnu Shankar Tiwari s/o Narayan Tiwari, Resident of village -
Basamanpur, P.S.- Ara Muffasil, District Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar, Advocate.

For the Opposite Party/s: Mr. Ramshankar Das (Spl. Pp)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 14-01-2015

Heard learned counsel for the parties.

Having regard to the nature of offence under Sections 341, 323 and 504/34 of the Indian Penal Code and under Section 3(i)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the fact that the petitioner has got no criminal antecedent and the assault by Danda also has not been at all found to be substantiated, this Court, keeping in view that the petitioner already had filed an informatory petition with regard to his being falsely implicated much before filing of the present case would direct that if the petitioner namely Vishnu Shankar Tiwari would surrender within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at

Ara in connection with Ara, Muffasil P.S. Case No. 100/2014 the subject to the following five conditions:

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- (i) That both of the bailors will be a close relative of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors 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 the 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.

(Mihir Kumar Jha, J)

Sujit/-

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