

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35699 of 2014

Arising Out of PS.Case No. -95 Year- 2014 Thana -CHAPRA CITY District- SARAN

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Binod Rai @ Vinod Rai Son of Jodha Rai resident of village- Chota Telpa,
P.S.- Chapra Town, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Umeshanand Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 27-03-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 384, 386, 387/34 of the Indian Penal Code and that the implication of the petitioner is based on confession of co-accused, who were apprehended at the spot, this Court by taking into account that nothing as of now has emerged against the petitioner to directly involve him in the alleged offence and that the petitioner has only one more criminal case being Chapra Town P.S.Case No. 180/2011 for offence under section 379 I.P.C. in which also a compromise has already been made, would find the petitioner entitled for grant of anticipatory bail but with a rider that he should not now become accused in any similar criminal case.

That being so, if the petitioner, Binod Rai @ Vinod Rai, surrenders in the court below within a period of four weeks from



today, he shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran, Chapra in Chapra Town P.S.Case No. 95/2014, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioner who will give 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 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.

(iii) 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.

(iv) That the petitioner will be well represented on

each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

surendra/-

(Mihir Kumar Jha, J)

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