

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48995 of 2014

Arising Out of PS.Case No. -79 Year- 2012 Thana -PURAINI District- MADHEPURA

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Md. Rahis @ Rais

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 03-03-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 302/34 of the Indian Penal Code.

Considering that the petitioner is in custody since 18.09.2012 and during trial four witnesses have been examined on behalf of the prosecution and have not supported the case, let the Petitioner, above named, be released on bail on furnishing bail bond of 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 learned Additional Sessions Judge-II, Madhepura, in S.Tr. No. 38/2013 (Puraini P.S. Case No.79/2012), subject to the 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 bailors will undertake to furnish information to the court about any change in the address of the petitioner and the other bailor shall be the father 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 for cancellation of bail on the ground of misuse,
- (iv) That the petitioner shall be physically present on each date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

The trial court is directed to expedite the trial.

(Anjana Prakash, J)

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