

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13116 of 2015

Arising Out of PS.Case No. -7 Year- 2014 Thana -TISIAUTA District- VAISHALI(HAJIPUR)

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1. Shambhu Nath Jha, son of late Gopaljee Jha, resident of village- Goraul,
P.S.- Goraul, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. R. P. S. Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3/ 26-05-2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in a case
instituted for the offence under Section(s) 409 Indian Penal Code.

It has been submitted that now charge has been
handed over to the next incumbent.

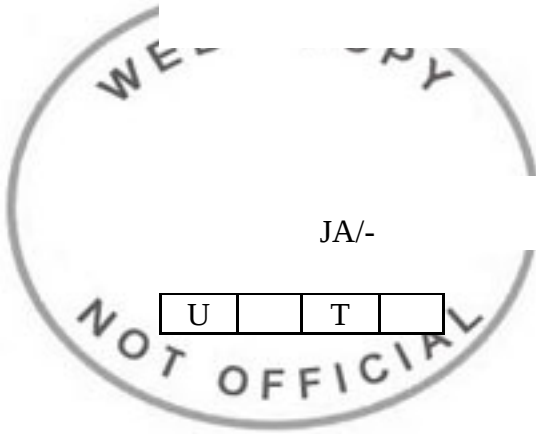
In view of such, it is ordered that in the event of
surrender/arrest of the Petitioner, named above, within four
weeks from the date of receipt/production of a copy of this order
in connection with Tisiauta P.S. Case No.07 of 2014, he shall be
released on anticipatory bail on furnishing bail bond of ₹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 Chief Judicial Magistrate, Vaishali at Hajipur, subject to the



conditions as laid down under section 438(2) Cr. P. C. and (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, (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 will give an undertaking that he will receive the police papers on the given date and be present on 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, and (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.

However, if it is found that the Petitioner had also defalcated/misappropriated any government money, the

Informant will be at liberty to move for cancellation of bail bond
on such ground.



(Anjana Prakash, J)