

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17381 of 2015

Arising Out of PS.Case No. -474 Year- 2013 Thana -NAWADA District- NAWADA

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Om Prakash Gupta @ Karu S/o Late Dhanusdhari Prasad Resident of
Mohalla Purani jail Road, P.S. Nawada, District Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv

For the Opposite Party/s : Mr. M.K. Khare (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 25-06-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-153(A), 295(A), 379, 435 and other allied offences of the Indian Penal Code and that the petitioner was not named in the First Information Report and it is only on the basis of confession of co-accused that his name was also brought within the purview of this criminal case, this Court by taking into account that co-accused Manoj Khatik, having exactly similar allegation has been granted bail by order dated 20.05.2014 in



Criminal Miscellaneous No. 11244 of 2014, would direct that if the petitioner namely, **Om Prakash Gupta**, surrenders within a period of four weeks from today, he would 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 **C.J.M. Nalanda** in connection with **Nawada Town P.S. Case No. 474 of 2013**, subject to the conditions laid down under Section-438 (2) Cr. P.C and also subject to the following conditions:-

(i) That both the bailors will be 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 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.

(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.

(Mihir Kumar Jha, J)

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