

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5970 of 2015

Arising Out of PS.Case No. -209 Year- 2013 Thana -BAHADURPUR District- DARBHANGA

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Suman Kumar Choudhary @ Suman Choudhary S/O Sri Kuldeep Narayan
Chaudhary Resident of vill-Darhar,P.S-Bahadurpur,Distt-Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary

For the Opposite Party/s : Mr. Ashok Kr.Singh No.1(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

3 21-05-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 302/34 and 379 of the Indian Penal Code and the fact that the petitioner was not named in the F.I.R. and whatever materials having been referred to in the order rejecting the prayer for anticipatory bail by the Sessions Judge, Darbhanga do not show any direct involvement of the petitioner, this Court taking into account that the petitioner also has got no criminal antecedent would direct that if the petitioner, Suman Kumar Choudhary @ Suman Choudhary, surrenders before 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, Darbhanga in Bahadurpur P.S.Case No. 209/2013, 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.

(Mihir Kumar Jha, J)

surendra/-

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