

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49646 of 2014

Arising Out of PS.Case No. -232 Year- 2014 Thana -DAUDNAGAR District- AURANGABAD

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Sunil Kumar Son of Late Uday Sharma, resident of Village - Tankupi, P.S. -
Haspura, District - Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinu Kumar, Advocate
Mr.Rajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 03-03-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 414/34 of the Indian Penal Code.

It is submitted that though the petitioner is named in the first information report vide Annexure-1 as an accused, but now chargesheet has been submitted in the present case and the petitioner is in judicial custody since 13.08.2014. It is further submitted that the petitioner is the first offender and no other criminal case except the present one is pending against him.

Be that as it may, taking into consideration the period of incarceration, the prayer for bail of the petitioner is allowed. The above named petitioner is ordered to be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad in Daudnagar P.S.Case No. 232 of 2014, subject to the following conditions:

(A) one of the bailors must be

government servant or close family member of the petitioner who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) if the petitioner is found involved in same and similar nature of cases in future, then in that case, the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned, and

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

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