

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49637 of 2014

Arising Out of PS.Case No. -44 Year- 2013 Thana -JURAWNPUR District- VAISHALI(HAJIPUR)

Binod Sah son of Late Mahendra Sah, resident of Village - Raghapur West,
P.S. - Jurawanpur, District - Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 03-03-2015 Heard learned counsel appearing on behalf of the
petitioner. None appears on behalf of the State of Bihar.

The petitioner seeks bail in a criminal prosecution registered under Section 307/34 of the Indian Penal Code and under Section 27 of the Arms Act.

Taking into consideration the fact that the petitioner is alleged to be only the order giver and he is not alleged to have actually assaulted the informant and further taking into consideration that the petitioner is in judicial custody since 16.08.2014, his prayer for bail 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 Judicial Magistrate, Ist Class, Vaishali at Hajipur in Jurawanpur P.S.Case No. 44 of 2013, 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)

Tahir/-

U		T	
---	--	---	--