

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44427 of 2015

Arising out of P.S. Case No. -226 Year- 2013 Thana -
GOVERNMENT OFFICIAL COMP. District- SIWAN

=====

NAVIN UPADHYAY @ NAVIN KUMAR UPADHYAY S/o Sri
Nagendra Upadhyay Resident of Village- Ram Nagar
(Andardhala) P.S. Siwan town, District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ganjendra Kumar Singh, Adv.

For the Opposite Party/s: Mr. Sanjay Kumar Tiwary-1(APP)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 13.10.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner is apprehending his arrest in a case
registered under Section 47A of the Excise Act.

Considering that the Petitioner is the first offender,
let him be released on anticipatory bail in the event of arrest
or surrender before the learned Court below within a period of
four weeks from the date of receipt of the order on furnishing
bail bond of Rs. 5,000/- (Five Thousand) with two sureties of
the like amount each or any other surety as fixed by the Court
to the satisfaction of Chief Judicial Magistrate, Siwan in
connection with CII 226(Ex.) of 2013 subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure as also subject to the following conditions:- (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 bailor will also undertake to inform the Court if there is 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 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. (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. (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.

Vikash/-

(Anjana Prakash, J.)

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