

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48868 of 2015

Arising Out of PS.Case No. -175 Year- 2013 Thana -MUNGER MUFFASIL District- MUNGER

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MD. PINKU @ MD.PIKU Son of Md. Sadrul Resident of Village -
Mirzapur, Bardah, P.S. - Muffasil, District – Munger Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Narendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 09-11-2015 The petitioner apprehends arrest in Muffasil P.S.
Case No. 175 of 2013 dated 18.07.2013 instituted under
Sections 147/148/149/114/332/353/307/379/225/201/323 of
the Indian Penal Code and 25 (1-A)/ 25(1-AA)/25(1-B)(a)(c)/
26 (1) (2)/35 of The Arms Act, 1959.

The petitioner submits that he is merely a member of
the mob and several accused have already been allowed
anticipatory bail.

Considering the facts and circumstances of the case
and submissions of learned counsel for the parties, in the event
of arrest or surrender before the Court below within six weeks
from today, the petitioner as mentioned above be released on
bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand)
with two sureties of the like amount each to the satisfaction of
the learned Chief Judicial Magistrate, Munger in Muffasil P.S.
Case No. 175 of 2013, subject to the conditions laid down in
Section 438 (2) of the Code of Criminal Procedure, 1973 and
further (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 petitioners. The bailors will undertake

to furnish information to the court about any change in the address of the petitioner, (ii) That the affidavit shall clearly state that the petitioner is not accused in any other case and, if they are, they shall not be released on bail, (iii) That the bailors shall also state on affidavit that they will inform the court concerned if the petitioners are implicated in any other case of similar nature after their 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 they will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, and (v) That the petitioner will be well represented on each date and if they fail to do so on two consecutive dates, his bail will be liable to be cancelled.

(Samarendra Pratap Singh, J)

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