

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32285 of 2014

Arising Out of PS.Case No. -229 Year- 2014 Thana -AHIAPUR District- MUZAFFARPUR

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Shivam Kumar @ Sonu, Son of Prakash Dubey @ Pawan Dubey, resident of village- Gayatri Nagar, Akharaghat, P.S.- Ahiyapur, District- Muzaffarpur, Presently residing at village- Shahila Balli, P.S.- Hathauri, District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Adv.

For the State : Mr. M. Rab, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

- 3 12-01-2015 Heard learned counsel for the Petitioner and the State.
- The Petitioner seeks bail in a case instituted for the offence under Sections 379 and 511 of the Indian Penal Code.
- Considering that the Petitioner is in custody since 22.4.2014 and has fair antecedents and also his cousin uncle Bibhuti Kumar Sharma undertakes his responsibility, let the Petitioner above named, be released on bail on furnishing bail bond of Rs.5,000/- (Five thousand) with two sureties of the like amount each or any other surety to be fixed by the Court below to the satisfaction of Chief Judicial Magistrate, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 229 of 2014 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 and the other shall be the cousin uncle of the Petitioner namely, Bibhuti Kumar Sharma. 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.

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(Anjana Prakash, J)

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