

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 32877 of 2014

Arising out of P.S. Case No. -166 Year- 2005 Thana -
SITAMARHI District- SITAMARHI

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Kamal Mandal Son of Late Chulhai Mandal Resident of Koat
Bazar, Ward No. New 14, Old 8, Sitamarhi, P.S. AND District –
Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Adv.

For the Opposite Party/s: Mr. Rajesh Kumar (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

04. 23.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Section 302/34 of the Indian Penal
Code.

Considering that the Petitioner was summoned
under Section 319 Cr.P.C., let him be released on bail
after framing of charge 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 1st Additional District & Sessions
Judge, Sitamarhi in connection with S.Tr. No. 456 of 2009
arising out of Sitamarhi P.S. Case No. 166 of 2005 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 bailor shall be the son of 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 be physically present on each date of trial and if he fails to do so on two consecutive dates without reasonable cause, his bail shall stand automatically cancelled.

(Anjana Prakash, J.)

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