

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46516 of 2015**

Arising Out of PS.Case No. -156 Year- 2015 Thana -SUGAULI District- EAST CHAMPARAN  
(MOTIHARI)

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1. Badari Sahani S/o Ramshewak Sahani R/o Vill Bheriyari, P.S Sugauli  
Dist E. Champaran

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Madan Kumar (App)

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**  
**ORAL ORDER**

2      15-10-2015                      Heard learned counsel for the Petitioner and the State.

The Petitioner seeks anticipatory bail in a case  
instituted for the offence under Sections 272, 273 of the Indian  
Penal Code and Section 47(A) of Excise Act.

Considering that the Petitioner is the first offender,  
let the Petitioner in the event of surrender, named above, within  
four weeks from the date of receipt of this order, in connection  
with Sugauli P.S. Case No. 156 of 2015, shall be released on  
anticipatory 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 concerned to the satisfaction of  
Chief Judicial Magistrate, Motihari, East Champaran, 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.

**(Anjana Prakash, J)**

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