

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13875 of 2015

Arising Out of PS.Case No. -365 Year- 2013 Thana -ARARIA District- ARARIA

Sahil @ Mumtaz @ Chounha @ Md. Mumtaz S/o Md. Gulab@Fakruddin
resident of Village- Thuthi, P.s- Bhimpur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 392 of the Indian Penal Code.

Taking into consideration that the petitioner is not named in the F.I.R., vide Annexure-1, as an accused and no incriminating article is said to have been recovered either from his house or from his possession, and further taking into consideration the fact that he is in judicial custody since 22.11.2013, his prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria in connection with Araria P.S. Case No. 365 of 2013, G.R. No. 2088 of 2013, subject to the conditions that:

- (A) One of the bailors must be a government servant or close family member of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,
- (B) if the petitioner is found involved in same and similar nature of cases in future, then in that case



(C)

the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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