

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 3211 of 2015

Arising out of P.S. Case No. -138 Year- 2014 Thana -SAJOUR
District- BHAGALPUR

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Nago @ Nageshwar Mandal, Son of Bhutki Mandal, Resident
of Village-Daspur, P.S.-Sajour, Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra, Adv.

For the Opposite Party/s: Mr. R.B.S. Pahepuri (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 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 and Section 27 of the Arms Act.

Considering that there is no specific overt act
alleged against the Petitioner who has fair antecedents, let
him 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 as fixed by the Court to
the satisfaction of Chief Judicial Magistrate, Bhagalpur in
connection with Sajour (Sahkund) P.S. Case No. 138 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. 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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