

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 2224 of 2015

Arising out of P.S. Case No. -240 Year- 2014 Thana -DUMRA
District- SITAMARHI

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Saroj Kumar Shahi @ Babloo Shahi Son of Khushnandan
Shahi Resident of Vill-Suhai Tola-Malikana, P.S-Dumra,
Distt.-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Adv.

For the Opposite Party/s: Mr. Md. A. Haque Sahara (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 20.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Sections 341, 323, 509, 376/511 and
504 of the Indian Penal Code.

Considering that subsequently the girl appeared
in the Court and stated that he has filed the case at the
instance of the maternal uncle and the Petitioner is in
custody since 18.11.2014 having 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, Sitamarhi in
connection with Dumra P.S. Case No. 240 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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