

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 3784 of 2015**

Arising out of P.S. Case No. -193 Year- 2014 Thana -  
BHAWANIPUR District- PURNIA

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Mithun Kumar @ Mithun Kumar Mandal S/oLate Musho  
Mandal Resident of Vill-Rahpura, P.S-Bhawanipur (Akbarpur),  
Distt.-Purnea.

.... .... Petitioner/s

Versus

The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Mr. H.A. Khan (APP)

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

**02. 29.01.2015**

Heard learned counsel for the Petitioner and the  
State.

The Petitioner seeks bail in a case instituted for  
the offences under Sections 353, 307 and 393 of the  
Indian Penal Code and Sections 25(1-B) A, 26 and 35 of  
the Arms Act.

Considering that no incriminating article was  
recovered from the possession of 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,  
Purnea in connection with Bhawanipur (Akbarpur) P.S.  
Case No. 193 of 2014 (G.R. No. 4330 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.)**

Vikash/-

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