

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12772 of 2015

Arising Out of PS.Case No. -271 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Raju S/o Khus Mohammad, resident of Mohalla Nakchhed Tola, P.S.
Motihari Town, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul, Advocate

For the Opposite Party/s : Mr. Shyam Kr.Singh, APP

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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 Sections 436, 380 and 457 of the Indian Penal Code.

Though the petitioner is named in the first information report vide Annexure-1 as an accused and there is allegation against him for participating in the crime in question, but taking into consideration the fact that he is in judicial custody since 26.10.2014 and he is said to be the first offender, his prayer for bail is allowed. The above named petitioner is ordered to be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in Motihari Town P.S.Case No. 271 of 2014, subject to the following conditions:

(A) one of the bailors must be a government servant or a close family member or a close relation 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, the informant/prosecution shall be at liberty to file a petition for cancellation of 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
(C) 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 bond of the petitioner.

(Birendra Prasad Verma, J)

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