

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17826 of 2015

Arising Out of PS.Case No. -140 Year- 2010 Thana -RUNISAIDPUR District- SITAMARHI

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Naresh Das, son of Jailal Das, resident of village Subhaigarh, P.S. Punni
Saidpur, District Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vaidahi Raman Pd. Singh

For the Opposite Party/s : Mr. D.P.Tiwary, 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 307, 353 and some other allied offences under the Indian Penal Code as also under Section 27 of the Arms Act and Section 17 of the Criminal Law Amendment Act.

Though the petitioner is named in the F.I.R., vide Annexure-1, as an accused, but taking into consideration the fact that as many as 24 persons have been named in the F.I.R. including the petitioner as accused and allegations against all of them are general and omnibus in nature and further taking into consideration the fact that the petitioner is in judicial custody since 04.12.2014, 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 Judicial Magistrate, Sitamarhi in connection with Runni Saidpur P.S. Case No. 140 of 2010, subject to the conditions that:

- (A) One of the bailors must be a government servant or close family member of the petitioner, who

- (B)
- will file an affidavit in the court below showing his/her relationship with the petitioner,
- 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 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
- (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 bonds of the petitioner.

(Birendra Prasad Verma, J)

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