

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 49139 of 2014**

Arising out of P.S. Case No. -18 Year- 1988 Thana -DUMARIA  
District- GAYA

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Gora Bhuian, Son of Mungeshar Bhuian, Resident of Village-Madar,  
P.S.-Dumaria, Dist.-Gaya.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. S. Jamil Akhtar, Adv.

For the Opposite Party/s : Mr. Anish Chandra (APP)

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

**02. 03.03.2015**

Heard learned counsel for the Petitioner and the  
State.

The Petitioner seeks bail in a case instituted for the  
offences under Section 395 of the Indian Penal Code.

Considering that the Petitioner is in custody since  
15.03.2014 and undertakes to be physically present on each  
date of trial, 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 Ad hoc Additional Sessions Judge-V, Gaya in  
connection with Dumaria P.S. Case No. 18 of 1988 (S.Tr. No.  
403 of 2012) 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 and the other bailor shall be the father of 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 physically present on each date of trial and if he fails to do so on two consecutive dates without reasonable cause, his bail shall stand automatically cancelled.

The Trial Court is directed to expedite the trial and for which reason it shall send a list of the witnesses **fixing specific dates** for production of the witnesses along with a copy of this order, to the Superintendent of Police, Gaya, and the Superintendent of Police, Gaya is directed to ensure production of the witnesses on the date so fixed by the Trial Court so that there is no further delay in trial.

**(Anjana Prakash, J.)**

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