

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46948 of 2014

Arising Out of PS.Case No. -200 Year- 2014 Thana -KASBA District- PURNIA

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Shiv Shankar Sarkar S/o Ravindra Sarkar, resident of Tikkapur, P.S. Kasba,
District Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Advocate

For the Opposite Party/s : Mr. Satyendra Nr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 20-02-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 420, 467, 468 and some other allied offences under the Indian Penal Code.

Taking into consideration the fact that there appears to be elements of civil dispute between the parties as disclosed in the FIR vide annexure-1 and further taking into consideration that the petitioner is in judicial custody since 26.09.2014, 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, Purnea in connection with Kasba P.S.Case No. 200 of 2014, subject to the following conditions:

(A) one of the bailors must be government servant

(B) other bailor shall be a family member or close relation of the petitioner who will file an affidavit in the court below showing his/her relationship with the petitioner,

(C) 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

(D) 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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