

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48483 of 2014

Arising Out of PS.Case No. -1234 Year- 2013 Thana -COMPLAINT CASE District- KISANGANJ

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Prushottam Kumar Sah, Son of Haricharan Sah, Resident of Village -
Tegharia, P.S & District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Dilip Dhariwal Son of Late Vijay Dhariwal Resident of Village -
Loharpatti, P.S AND District - Kishanganj.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate.

For the Opposite Party/s : Mr. Pushpa Sinha-II (App).

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 16-07-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Section 323, 406 and 504 of the Indian Penal Code and that whatever allegations have been made by the complainant/O.P. No. 2 against the petitioner, would at best make out a case of civil dispute, this Court, taking into account that the petitioner has got no criminal antecedent, would inclined to grant privilege of anticipatory bail to the petitioner.

That being so, if the petitioner, namely, Purushottam Kumar Sah surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Complaint Case No. 1234C/2013, subject to the following conditions:

(i) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors 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 accused in any other case and if he is, he shall not be released on bail.

(iii) That the bailors shall also state on affidavit that they 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 his bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Sujit/-

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