

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30905 of 2015

Arising Out of PS.Case No. -101 Year- 2015 Thana -BARHARA District- BHOJPUR

=====

1. Upendra Rai Son of Ram Jadi Rai Resident of village - Suratpur, P.S.
Doriganj, District - Saran at Chapra (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Ajay Kr.Jha(App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 12-08-2015 Heard learned Counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 147, 148, 149, 302, 120(B), 379 of the Indian Penal Code and Section 27 of the Arms Act.

Considering the genesis of the occurrence and the fact that there is no specific overt act alleged against the Petitioner as also that he has fair antecedent, let the petitioner above named, 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 to be fixed by the court concerned to the satisfaction of Chief Judicial Magistrate, Bhojpur at Ara, in connection with Barhara P.S. Case No. 101 of 2015, subject to the 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. 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 well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

S.Ali/-

(Anjana Prakash, J)

U		T	
---	--	---	--