

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36364 of 2014

Arising Out of PS.Case No. -220 Year- 2013 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Naresh Prasad S/o Kishore Yadav Resident of Village Sahbajpur, P.S.
Chandi (Wena), District Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ritesh Kumar, Advocate.

For the Opposite Party/s : Mr. Jitendra Kr. Rai No.1(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 20-02-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Section 306,323,498A,504 and 506 of the Indian Penal Code and that after the death of the husband of the informant/the victim lady, the father-in-law has already been taken into custody and his prayer for regular bail is pending before this Court in Cr. Misc. No. 11422 of 2014, this Court, having found that the petitioner is only the nephew and has got no criminal history, would find him entitled for grant of privilege of anticipatory bail.

That being so, if the petitioner, namely, Naresh Prasad, surrenders within a period of four weeks from today, the court below shall grant bail to the petitioner on furnishing bail bond of

Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the A.C.J.M., Hilsa Nalanda in connection with Chandi (Wena) P.S.Case No. 220 of 2013, subject to the following conditions:

- (i) That both the bailors will be close family relative 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 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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