

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 39071 of 2014

Arising out of P.S. Case No. -92 Year- 2005 Thana -
MADHUBAN District- EASTCHAMPARAN(MOTIHARI)

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FAUJDAR DAS son of Late Nasib Das resident of village -
Mahamada, P.S. Patahi, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 30.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Sections 148, 149, 353A, 332, 333,
324, 326, 307, 120B and 121A of the Indian Penal Code,
Sections 25(1-B), 26, 27 and 35 of the Arms Act, Section
17 of Cr.L.A. Act and Sections 3/4 of Explosive Substance
Act.

Considering that after nine years the Petitioner
has been remanded in the present case wherein the
allegation against him was that his name was printed on a
pamphlet found at the place of occurrence and his wife,
Banarsi Devi undertakes his responsibility, 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 Sub-Divisional Judicial Magistrate, Sikrahana at Motihari, East Champaran in connection with Madhuban P.S. Case No. 92 of 2005 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 wife of the Petitioner namely Banarasi Devi. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) 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. (iii) 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. (iv) 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.

In the nature of allegations and the criminal

antecedents of the Petitioner, the Petitioner is directed to appear before the Superintendent of Police, East Champaran within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the Petitioner will be kept under watch in this period by the superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the Petitioner before the court concerned.

(Anjana Prakash, J.)

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