

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2054 of 2015

Arising Out of PS.Case No. -208 Year- 2014 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

1. Nageshwar Prasad S/o Late Sita Ram Prasad @ Late Sitaram Sah
Resident of Village Pakaridayal, Bank Road, P.S. Pakaridayal, District East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey
For the Opposite Party/s : Mr. Parmeshwar Mehta (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 29-01-2015 Defects ignored.

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under sections 420, 467, 468, 471 and 120 B of the Indian
Penal Code.

Considering that the petitioner is in jail custody since
22.10.2014 and the entire case is based upon the documentary
evidence, let the petitioner, Nageshwar Prasad, 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 below to the satisfaction of learned S.D.J.M., Sikrahana
at Motihari in connection with Pakaridayal P. S. Case No.
208/2014 subject to the conditions (i) That one of the bailors will
be close relative of the petitioner, who will give an affidavit giving
genealogy as to how he is related with the petitioner. The bailors

will undertake to furnish information to the Court about 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 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 the 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, and v) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Anjana Prakash, J)

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