

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1849 of 2015

Arising Out of PS.Case No. -177 Year- 2014 Thana -BAUSI District- PURNIA

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Md. Niyamat, Son of Md. Nazmul Hussain, resident of Village - Ghuski
Tola, P.S. - Baisi, District - Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Roy, (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 16-01-2015 Heard learned counsel for the Petitioner and the State.

The Petitioner seeks anticipatory bail in a case
instituted for the offence under Sections 363, 366(A) and 120(B)
of the Indian Penal Code.

Considering the statement of the alleged victim
recorded under Section 164 Cr. P.C., let the Petitioner in the event
of surrender, named above who has fair antecedent, within four
weeks from the date of receipt of this order, in connection with
Baisi P.S. Case No. 177 of 2014, shall be released on anticipatory
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 Sri Ravindra Kumar,
Judicial Magistrate, 1st Class, Purnea, 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. 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.

(Anjana Prakash, J)

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