

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2534 of 2015

Arising Out of PS.Case No. -104 Year- 2014 Thana -KAWAKOL District- NAWADA

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Shambhu Yadav, S/o Late Dwarika Yadav, R/o village - Lalpur, P.S. Kauwakol, District - Nawada, Presently residing at Kauwakol Bazar, P.O. and P.S. Kauwakol, District - Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh, Adv.
For the State : Dr. Indihar Kumari, (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 23-01-2015 Heard learned Counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 302, 201 and 34 of the Indian Penal Code.

Considering that the Petitioner was subsequently named by two witnesses in their statement recorded under Section 164 Cr. P.C. but not alleged any specific overt act against him, 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, Nawada, in connection with Kawakol P.S. Case No. 104 of 2014, 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 and the other shall be the brother-in-law of the Petitioner namely, Arvind Kumar. 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.

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(Anjana Prakash, J)

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