

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42832 of 2014

Arising Out of PS.Case No. -91 Year- 2013 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Babloo Dubey @ Mithilesh Dubey, Son of Late Maheshwar Dubey,
Resident of Village - Siswa Kharar, P.S.- Kalyanpur, Distt- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None
For the Opposite Party/s : Mr. Md.Arif, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 10-04-2015 Though none appears on behalf of the petitioner, but I
have heard the learned Addl.P.P. appearing on behalf of the State.

The petitioner seeks bail in a criminal prosecution
registered under Section 386 of the Indian Penal Code.

Though the petitioner is named in the FIR vide
Annexure-1, but taking into consideration the fact that he is said to
be in judicial custody since 28.06.2013, i.e., almost two years, this
Court is inclined to accede to the prayer made on behalf of the
petitioner for grant of bail. Accordingly, his prayer for bail is
allowed.

The petitioner above named is directed to be released
on bail on furnishing bail bond of Rs.25,000/- with two sureties of
the like amount each to the satisfaction of the learned S.D.J.M.,
Raxaul at Motihari in connection with Raxaul P.S.Case No.91 of
2013, subject to the conditions that:

(a) One of the bailors must be government servant or
close family member of the petitioner, who will file an

affidavit in the court below showing his/her relationship with the petitioner,

(b) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;

(c) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

Arvind/-

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