

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14742 of 2015

Arising Out of PS.Case No. -58 Year- 2014 Thana -SINGHIYA District- SAMASTIPUR

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Jitender Mandal son of Kaushal Mandal, resident of Village - Singhiya - 2
Ward No. 9, P.S. - Singhiya, District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. A.Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 28-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 302 of the Indian Penal Code.

Though the petitioner is named in the first information report vide Annexure-1 as an accused and he is alleged to have committed crime of murder of his own sister on account of certain petty dispute in the family with respect to Rs.400/-, but taking into consideration the fact that on close of investigation , chargesheet has been submitted under Section 306 of the Indian Penal Code and further taking into consideration the fact that the petitioner is in judicial custody since 12.11.2014 and he is said to be the first offender, his prayer for bail is allowed. The above named petitioner is ordered to be released on bail on furnishing bail bond of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Rosera, Samastipur in connection with Singhiya P.S.Case No. 58 of 2014, subject to the following conditions:

(A) one of the bailors must be a government

servant or a close family member or a close relation 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, and

(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 dates, 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)

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