

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29103 of 2015

Arising Out of PS.Case No. -25 Year- 2014 Thana -JURAWNUPUR District- VAISHALI(HAJIPUR)

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Baleshwar Rai S/o Deep Rai, resident of Village Raghapur, East, P.S.
Jurawanpur, District Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
Mr.Kundan Kumar, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das, Spl.APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 16-12-2015

Heard the parties.

The prayer for bail of the petitioner was earlier rejected by order dated 26.05.2015 passed in Cr.Misc.No.12499 of 2015 (Annexure-1) on the ground of concealment of material facts, but liberty was granted to him to file a fresh bail petition after disclosing full facts and furnishing all the relevant materials.

Taking into consideration the facts that the petitioner is in judicial custody since 20.01.2015 and he is not accused in any other criminal case except the present one, which has been asserted in paragraph 3 of the bail petition and further taking into consideration that the allegation against him is general and omnibus in nature, which has been conceded by the learned Spl.P.P. appearing on behalf of the State, 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 Chief Judicial Magistrate, Vaishali in connection with Jurawanpur P.S.Case No. 25 of 2014, subject to

the following conditions:

- (A) one of the bailors must be a government servant or close family member or 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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