

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44303 of 2015

Arising Out of PS.Case No. -94 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

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1. Niranjan Kumar, son of Ashok Kumar, resident of village- Kachnama,
P.S.- Makhdumpur, District Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Chandra Bose, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 14-10-2015

Supplementary Affidavit filed today stating therein

that the Petitioner has made wrong statement in paragraph 3 of
the petition and only one other case is pending against him. Let it
be kept with the record.

Counsel for the Informant seriously disputes such
stand.

Heard learned counsel for the Petitioner, Informant
and the State.

The Petitioner apprehends his arrest in a case
instituted for the offence under Section(s) 419, 420, 409/34
Indian Penal Code.

Considering that the Petitioner is the son of the
Mukhiya, who is the main accused, and he has already been
granted bail, it is ordered that in the event of surrender/arrest of



the Petitioner, named above, within four weeks from the date of receipt/production of a copy of this order in connection with Makhdumpur P.S. Case No.94 of 2015, he shall be released on anticipatory bail on furnishing bail bond of ₹5,000/- (five thousand) with two sureties of the like amount each or any other surety to be fixed by the court below to the satisfaction of the Chief Judicial Magistrate, Jehanabad subject to the conditions as laid down under Section 438(2) Cr. P. C. and (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 bailors will undertake to furnish information to the court about any change in the address of the Petitioner, (ii) That the bailors shall also state on affidavit that they 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, and (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.

However, it is made clear that if it is found that the Petitioner has made wrong statement with regard to his antecedents, it will be open to the Informant to file an application for cancellation of bail for which the Petitioner shall not be noticed since he has already been noticed by this Court.

JA/-

(Anjana Prakash, J)

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