

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14712 of 2015

Arising Out of PS.Case No. -550 Year- 2010 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Bhushan Sah S/o- Late Shiv Shankar Sah, resident of village- Kanhauli,
P.S.- Mahua, Dist.- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Advocate

For the Opposite Party/s : Mr. Hirday Prasad Singh, 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 392 of the Indian Penal Code.

Though the petitioner, besides three other persons, is named in the first information report vide Annexure-1 as an accused but taking into consideration the fact that co-accused Ganesh Mahto, with identical allegation as also being named in the first information report as an accused, having been granted bail by a Bench of this Court by order dated 09.01.2015 passed in Cr.Misc.No. 33199 of 2014 vide annexure-2 and further taking into consideration the fact that the petitioner is in judicial custody since 17.10.2014 and is 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S.Case No. 550 of 2010, 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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