

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24595 of 2016

Arising Out of PS.Case No. -177 Year- 2015 Thana -BELA District- SITAMARHI

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Lal Babu Baitha, S/o Ramashankar Baitha, Resident of Village Katharawa,
P.S. Sheohar, District- Sheohar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 01-06-2016

Heard.

The petitioner seeks bail in a criminal prosecution registered under Section 395 of the Indian Penal Code as also under Section 3/4 of The Explosive Substances Act.

Taking into consideration the fact that the petitioner is not named in the FIR vide Annexure-1 as an accused and also taking into consideration the fact that he has not been put on T.I. Parade, though he is in judicial custody since 19.01.2016, and further taking into consideration the fact that no incriminating article has been recovered either from his house or from the possession of the petitioner, as per the findings recorded by the learned Sessions Court in the impugned order, let the petitioner above named 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 A.D.J.-III, Sitamarhi in connection with Session Trial No.133 of 2016, arising out of Bela P.S. Case No.177 of 2015, subject to the conditions that:

(A) One of the bailors must be government servant

or close family members 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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