

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45209 of 2015

Arising Out of PS.Case No. -136 Year- 2002 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Gautam Paswan Son of Late Sada Siv Paswan, Resident of Village-Ibrahimpur, P.S. Noor Sarai, District Nalanda (Bihar Sharif).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Verma, Advocate

For the Opposite Party/s : Mr. Md. Ansural Haque, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 17-02-2016 Heard learned Counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

Learned Counsel for the Petitioner produces the certified copy of the order sheet of the Trial Court, from which it appears that the Investigating Officer and the doctor have yet not been examined. Let it be kept on the record.

In view of the undertaking of the Petitioner that he will be physically present on each date of trial, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 5,000/-(Five thousand) with two sureties of the like amount each or any other surety to be fixed by the court concerned to the

satisfaction of learned A.D.J. 5th, Nalanda at Bihar Sharif in connection with S.T. No.287 of 2013 arising out of Harnaut P.S. Case No.136 of 2002, subject to the conditions (i) That one of the bailor shall be Ramadhar Paswan, brother of the Petitioner and the other bailor 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 bailor will undertake to furnish information to the Court about any change in address of the petitioner. (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is he shall not be released on bail, (iii) That the bailor shall also state on affidavit that he 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 ground of misuse, (iv) That the petitioner shall be physically present on each date during trial and if he fails to do so on two consecutive dates without any reasonable cause, his bail shall stand automatically cancelled.

(Anjana Prakash, J)

Narendra/-

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