

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51730 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -CHIKSAUR District- NALANDA
(BIHARSHARIFF)

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Vijay Singh S/o late Rama Singh Petitioner/s

Versus

The State of Bihar ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binit Kumar, Adv.

For the Opposite Party/s : Mr. Satyavrat Verma (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL ORDER

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04-05-2016

Perused the report of the trial Court explaining the

proceedings in his court. He has reported that charges could not be framed when the three accused were present in Court because charges were not proposed by the APP.

I must remark that he has very little understanding of the procedure prescribed in law. For his information it is not the APP who has to propose the charge. It is the duty of the Court to frame charges and that charges can be framed even singly against the appearing accused. He is warned to be careful in future

Considering the custody and the fact that earlier the petitioner had been granted bail by this Court, 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 below to the satisfaction of Chief Judicial Magistrate, Hilsa Nalanda in connection with Chiksaura P.S. Case No. 22 of 2015 subject to the conditions,

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 bailor will undertake to furnish information to the court about any change in the address of the petitioner,

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 the ground of misuse,

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.

That the petitioner will be physically present on each date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J)

Prakash/-

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