

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2067 of 2016

Arising Out of PS.Case No. -130 Year- 2015 Thana -AMDABAD District- KATIHAR

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1. SK. MOSIM @ MOSIM, son of Sk. Sultan, resident of village-
Raghunathpur Kewala, P.S. Amdabad, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. A.K.Choudhary, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 18-01-2016

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in a case
instituted for the offence under Section(s) 272, 273 Indian Penal
Code and Section 47-A of the Excise Act.

Considering that the Petitioner is the first offender, 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
Amdabad P.S. Case No.130 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
Judicial Magistrate, 1st class, Katihar, 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 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 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, (iv) 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 (v) 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.

JA/-

(Anjana Prakash, J)

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