

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28212 of 2016

Arising out of PS.Case No. -122 Year- 2016 Thana -ROSERA District- SAMASTIPUR

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Lalan Rai, S/o late Rajendra Rai, Resident of village - Purani Bhirha, Police Station - Rosera, District - Samastipur, Bihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Adv.

For the State : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 13-07-2016

Heard learned Counsel for the Petitioner and the State.

The Petitioner seeks bail in a case instituted for the offence under Section 47(a) of the Bihar Excise Act, 1915.

Considering the period of the custody and the fair antecedent of the Petitioner, let him 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 Additional Chief Judicial Magistrate, Rosera, in connection with Rosera P.S. Case No. 122 of 2016, subject to the conditions, (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 bailor will also undertake to inform the Court if there is 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 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. (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. (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.

S.Ali/-

(Anjana Prakash, J)

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