

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28304 of 2016

Arising out of P.S. Case No. -159 Year- 2016 Thana -
MOTIHARI MUFASIL District- EASTCHAMPARAN(MOTIHARI)

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Kapildeo Sah son of Late Jyoti Lal Sah resident of village -
Kasaba Patora, Police Station - Muffasil Motihari, District -
East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s: Md. Fahimuddin, Adv.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 14.07.2016

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Sections 272 and 273 of the Indian
Penal Code and Section 27(a), 53(c) and 54 of the Bihar
Excise Act.

Considering the period of 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
as fixed by the Court to the satisfaction of Chief Judicial
Magistrate, East Champaran at Motihari in connection
with Motihari (Mufassil) P.S. Case No. 159 of 2016 subject
to the following 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.

(Anjana Prakash, J.)

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