

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28367 of 2016

Arising out of P.S. Case No. -66 Year- 2016 Thana -
MADHEPURA District- MADHEPURA

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Biru Kumar S/o Bauri Yadav Resident of Village- Makuna,
P.S.- Bihra, District Saharsa. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s: Mr. APP.

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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 399, 402, 333, 307, 353 and
414 of the Indian Penal Code and Sections 25(1-B) A, 26,
27 and 35 of the Arms Act.

Considering that only three cartridges were
recovered from the possession of the Petitioner who has
fair antecedents, 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,
Madhepura in connection with Madhepura
(Parmanandpur) P.S. Case No. 66 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

and the other bailor shall be the father of 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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