

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28180 of 2016

Arising Out of PS.Case No. -215 Year- 2016 Thana -SITAMARHI District- SITAMARHI

1. Girish Pathak @ Grish Chandra Pathak son of Late Sarat Chand Pathak,
R/o village-Bathnaha P.S. - Bathnaha District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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 Sections 302, 120B/34 of the Indian Penal Code.

Considering that there is no eye witness to the actual
murder, let the petitioner above named, who has fair antecedents,
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
learned Chief Judicial Magistrate, Sitamarhi in connection with
Sitamarhi P.S. Case No.215 of 2016, subject to the conditions (i)
That one of the bailor 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 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 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 if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J)

Narendra/-

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