

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36046 of 2015

Arising Out of PS.Case No. -10 Year- 2013 Thana -ROSHANGAANJ District- GAYA

=====

1. Nagina Yadav Son of Late Samar Yadav, resident of village - Mahulania,
P.S. Dumaria, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Smt. Soni Shrivastava, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 09-03-2016

Heard learned Counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 147, 148, 149, 353, 427, 379, 302, 124A, 120B of the Indian Penal Code as well as 27 of the Arms Act and 17 of CLA Act and 3, 4 of the Explosive Substance Act.

Considering that till date the case has not even been committed to the Court of Sessions and the Petitioner's cousin brother Rajaram Yadav undertakes his responsibility, let the petitioner above named, 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 S.D.J.M., Sherghati, Gaya in connection with Roushanganj P.S. Case No.10 of 2013, subject to



the conditions (i) That one of the bailor shall be Rajaram Yadav, cousin brother of the Petitioner and the other 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 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, (iii) 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, (iv) That the petitioner will be physically present on each date during trial and if he fails to do so on two consecutive dates without any reasonable cause, his bail shall stand automatically cancelled.

In view of the nature of allegations, the petitioner is directed to appear before the Superintendent of Police, Gaya within fifteen days of his release with a copy of this order and every two weeks thereafter till the end of trial. The conduct of the

petitioner will be kept under watch in this period by the superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

(Anjana Prakash, J)

Narendra/-

U		T	
---	--	---	--