

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26492 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -PIPRASI District-
WESTCHAMPARAN(BETTIAH)

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Nagina Mallah S/o Ramji Mallah, Resident of Village - Bahari Asthan,
P.S. - Pirasi, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 12-07-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence
under Section 47 of the 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 to be fixed by the Court below to the
satisfaction of Additional Chief Judicial Magistrate 2nd, Bagaha,
West Champaran in connection with Piparasi P.S. Case No. 13 of
2016 subject to the conditions,

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 undertake to

furnish information to the court about any change in the address of the petitioner,

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,

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,

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.

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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