

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26531 of 2016

Arising Out of PS.Case No. -64 Year- 2015 Thana -KHANPUR District- SAMASTIPUR

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Moti Ram, son of Ramashish Ram, resident of village Manbara, P.S
Khanpur, District Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh, Adv.

For the State : Mr. Asharaf Ansari, A.P.P.

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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 Sections 302/34of the Indian Penal Code.

Considering that there is no direct material against the
Petitioner and he has fair antecedent, 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 concerned to the satisfaction of Additional Chief Judicial
Magistrate, Samastipur, in connection with Khanpur P.S. Case No.
64 of 2015, subject to the 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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