

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28149 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -GALGALIA District- KISANGANJ

Milan Limbu S/o Lal Bahadur Limbu resident of Village- Hamaly, P.S. Sundare, District- Jhapa (Nepal)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

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 47A of Excise Act.

Considering the period of custody and fair antecedents of the petitioner, 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 below to the satisfaction of Chief Judicial Magistrate, Kishanganj in connection with Galgalia P.S. Case No. 19 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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