

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39515 of 2016

Arising Out of PS.Case No. -66 Year- 2016 Thana -MADHEPURA District- MADHEPURA

Rajesh Kumar son of Hare Ram Yadav, Resident of Village -Makuna P.S-
Bihra, District - Saharsa.

.... Petitioner/s

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Madhepura
(Parmanandpur) P.S. Case No.66 of 2016 registered under
Sections 399, 402, 333, 307, 353 and 414 of the Indian Penal Code
as well as Section 25(1-B)(a), 26, 27 and 35 of the Arms Act.

It is submitted that co-accused Biru Kumar, Bechan
Yadav and Sikandar Yadav @ Sikendra Yadav having more or
less identical allegation to that of the petitioner have already been
granted bail vide order dated 14.7.2016 passed in Cr.Misc.
No.28367 of 2016, order dated 12.7.2016 passed in Cr.Misc.
No.23577 of 2016 and order dated 9.8.2016 passed in Cr.Misc.
No.30872 of 2016 respectively. It is further contended that the

petitioner is in custody since 10.2.2016 and has got no criminal antecedent.

Regard being had to the submissions made at the Bar, the petitioner, namely, Rajesh Kumar is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura (Parmanandpur) P.S. Case No.66 of 2016 subject to the conditions that (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 and the other bailor shall be the father of 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 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.

(Ashwani Kumar Singh, J)

Md.S./-

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