

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22159 of 2016

Arising out of P.S. Case No. -410 Year- 2015 Thana -
DIHRINAGAR District- SASARAM (ROHTAS)

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Jay Shankar Jaysawal @ Jay Shankar Jaiswal S/o Kanhai
Saw, resident of Mohalla- Kumhar Toli, Near Mahabir Mandir,
Dehri, P.S.- Dehri-on-Sone, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s: Mr. Yogendra Kr. Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 19.05.2016

Heard learned counsel for the Petitioner and the State.

The Petitioner is apprehending his arrest in a case registered under Sections 272 and 273 of the Indian Penal Code and Section 47(A) of Excise Act.

Considering that the Petitioner was merely said to be the ownership of motorcycle in which illicit liquor was loaded and he has fair antecedents, let him be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from the date of receipt of the order on furnishing bail bond of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Sub-divisional Judicial Magistrate, Dehri-on-Sone, Rohtas in connection with Dehri Nagar P.S. Case No. 410 of 2015 subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also subject to the following 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.

Vikash/-

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(Anjana Prakash, J.)