

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45317 of 2017

Arising Out of PS.Case No. -120 Year- 2017 Thana -DARBHANGA District- DARBHANGA

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Bhagwan Ram, Son of Ramchandra Ram @ Chanar Ram, resident of
Village Salempur, P.O.- Jivdhara, P.S.- Pipra Kothi, District- East
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Smt. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-09-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 419,420 and
467/34 of the Indian Penal Code and 3 and 10 of the Bihar
Examination Act.

Counsel for the petitioner submits that the petitioner
is a man of means and the allegation against him is false and
omnibus. In fact he was standing outside the centre of
examination where altercation took place with the police
whereupon he has been arrested. He further submits that the
provisions of Sections 420 and 467 IPC are not attracted in the
instant case and he is in custody since 24.07.2017. Prior to the



instant case there is no criminal antecedent of the petitioner.

Considering the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga in Darbhanga Town P.S. Case No. 120 of 2017 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.

(Madhuresh Prasad, J)

Prakash/-

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