

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40589 of 2018

Arising Out of PS.Case No. -10 Year- 2018 Thana -AMAS District- GAYA

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1. Shambhu Choudhary S/o Dudheshwar Choudhary, R/o Vill.- Lembua,
P.S.- Amas , District- Gaya. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Anant Kumar

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 11-07-2018

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner has filed the present bail application stating that earlier application which was filed by him had been disposed of granting bail after verification of his criminal antecedents. Since the earlier order was a conditional order and it was found that the petitioner had one other criminal antecedent which had escaped the notice of the parvikar who was the mother of the present petitioner and who was unaware of the same, the bail order which was passed earlier could not take effect thus stands revoked automatically. It is under such circumstances that the petitioner has filed the present application seeking the same relief.

Learned counsel for the petitioner submits that the mistake which had occurred on account of the statement made by the deponent, an illiterate woman, being the mother, was unaware of such incident which resulted in the filing of the present bail application.



In view of the above, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sherghati, Gaya in connection with Amas P.S. Case No. 10/2018, subject to the following conditions:-

- (1) One of the bailors will be his father.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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