

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1559 of 2013

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Haidar Khan, S/O Nunhku Khan, resident of village-Agni, P.S.-Cherki,
District Gaya.

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. R. B. Roy 'Raman', APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 31-01-2013

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offence under Section(s) 302 Indian Penal Code.

Considering that there is no direct material against
the Petitioner, who is in custody since 31.10.2012, let the
Petitioner, above named, who has fair antecedents, 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 the Chief Judicial
Magistrate, Gaya, in connection with Bodhgaya P.S. Case No.75
of 2010, 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



bailors will undertake to furnish information to the court about 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 bailors shall also state on affidavit that they 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, and (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.

JA/-

(Anjana Prakash, J)