

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45807 of 2015

Arising Out of PS.Case No. -197 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Manish Pandey Aged 30 Years, S/o Sri Anil Pandey resident of Village
Eraji Nanhkar P.S. Madhuban Distt. West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr. Arun Kumar Singh 5 (APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 30-10-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offences under Sections 143, 149, 153, 153(A), 154, 157, 158, 160, 188, 295, 295(A), 298, 332, 341, 342, 323, 327, 353, 506 and 504 of the Indian Penal Code and the admitted position that the petitioner is said to be the member of a mob and that there was a dispute between the communities with regard to construction of Masjid/preservation of some Vanaspati Sthan, this Court, by taking into account that the petitioner has got no criminal antecedent, if the petitioner, namely, Manish Pandey surrender before the court below within a period of four weeks from today, he shall 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 Sri Rajiv Kumar, Judicial Magistrate, 1st Class, Motihari in connection with Madhuban P.S. Case No. 197 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also

subject to following conditions:-

- (i) That both the bailors will be a close relative of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors 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 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 be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

Rishi/-

(Mihir Kumar Jha, J)

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