

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12726 of 2015

Arising Out of PS.Case No. -76 Year- 2014 Thana -DANDARI District- BEGUSARAI

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1. Shambhu Bind, Son of Chhabbu Bind
2. Ram Babu Bind, Son of Bhumi Bind
Both resident of village- Balaha, Police station- Dandari, District - Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Dilip Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 28-05-2015 Heard.

The petitioners seek bail in a criminal prosecution registered under Sections 302/149 and some other allied offences under the Indian Penal Code as also under Section 27 of the Arms Act.

Though, the petitioners, besides four other persons, are named in the FIR vide Annexure-1 as accused, but taking into consideration the fact that they were allegedly seen fleeing away while the informant was going towards the alleged place of occurrence and further taking into consideration the fact that they are in judicial custody since 06.11.2014 and are said to be the first offenders, their prayer for bail is allowed.

The petitioners above named are directed to be released on bail on furnishing bail bond of Rs.25,000/- each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Begusarai in connection with Dandari P.S.Case No.76 of 2014, subject to the conditions that:

- (a) One of the bailors must be government servant or close family member of the petitioners, who will file an affidavit in the court below showing his/her relationship with the petitioners,
- (b) if the petitioners are found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioners, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;
- (c) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in person or through representation by their lawyer on each and every date, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Prasad Verma, J)

Arvind/-

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