

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23340 of 2014

Arising Out of PS.Case No. -7 Year- 2014 Thana -SALIMPUR District- PATNA

- =====
1. Binay Kumar, son of Sri Bankey Das,
 2. Lal Das, son of Late Swaroop Das, both resident of village- Kasba, P.S.-
Salimpur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kr. 1, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

4/ 08-01-2015

Heard learned counsel for the Petitioners and the
State.

The Petitioners seek bail in a case instituted for the
offence under Section(s) 302/34, 379 Indian Penal Code.

Considering that there is no specific overt act alleged
against the Petitioners, who have fair antecedents, let them (1.
Binay Kumar and 2. Lal Das) be released on bail on furnishing
bail bond of ₹5,000/-(Five Thousand) each with two sureties of the
like amount each or any other surety to be fixed by the Court
below to the satisfaction of Sri R. V. Kumar, Judicial Magistrate,
1st class, Barh, Patna, in connection with Salimpur P.S. Case
No.07 of 2014, subject to the conditions:

- (i) That one of the bailors will be a close relative of
the petitioners, who will give an affidavit giving

genealogy as to how he is related with the petitioners. The bailors will undertake to furnish information to the court about any change in the address of the petitioners,

- (ii) That the affidavit shall clearly state that the petitioners are not an accused in any other case and, if they are, they shall not be released on bail,
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned if the petitioners are implicated in any other case of similar nature after their 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 petitioners will give an undertaking that they will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, and
- (v) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

JA/-

(Anjana Prakash, J)

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