

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15257 of 2015

Arising Out of PS.Case No. -18 Year- 2015 Thana -CHAPRA MUFFASIL District- SARAN

1. Lalu Manjhi Son of Ramnath Manjhi
2. Birju Pandit son of Late Bharat Pandit, Both are resident of village Methwalia P.S. Chapra Muffasil Dist Saran at Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rajani Kumar

For the Opposite Party/s : Mr. Sanjay Kr.Pandey, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 28-05-2015 Heard the parties.

The petitioners seek bail in a criminal prosecution registered under Sections 272, 273 of the Indian Penal Code as also under Section 47(a) of Bihar Excise Act, 1915.

Though the petitioners are named in the F.I.R., vide Annexure-1, as accused, and were allegedly apprehended while fleeing away from the alleged place of occurrence, where country liquor was allegedly being manufactured, but taking into consideration the fact that the petitioners are said to be in judicial custody since 01.02.2015 and are said to be first offenders, as per the averments made in paragraph-3 of the bail petition, 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 C.J.M., Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 18 of 2015, subject to the conditions that:

(A) One of the bailors must be government servant or close family member of the petitioners, who will

(B)

file an affidavit in the court below showing his/her relationship with the petitioners, 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 the 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 and

(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 dates, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Birendra Prasad Verma, J)

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