

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23471 of 2014

Arising Out of PS.Case No. -528 Year- 2013 Thana -BARACHATTI District- GAYA

1. Dukharan Manjhi Son of Late Mahabir Manjhi Resident of Village - Basu Kurha, P.S.- Mohanpur, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.28021 of 2014

Arising Out of PS.Case No. -528 Year- 2013 Thana -BARACHATTI District- GAYA

1. Sanjay Das Son of Munshi Ravidas Resident of Village - Khap, P.S.- Mohanpur, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.43560 of 2014

Arising Out of PS.Case No. -528 Year- 2013 Thana -BARACHATTI District- GAYA

1. Kaushal Yadav @ Basant Jee S/o Late Khemlal Yadav R/o Village- Matagarha, P.S.-Mohanpur, (Barachatti), District-Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.23471 of 2014)

For the Petitioner/s : Mr. Rajendra Prasad, Advocate

For the Opposite Party/s : Mr. Shakir Ahmad, APP

(In Cr.Misc. No.28021 of 2014)

For the Petitioner/s : Mr. Anjani Kumar Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar No.2, APP

(In Cr.Misc. No.43560 of 2014)

For the Petitioner/s : Mr. Anjum Perveen, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 09-01-2015 Heard learned Counsel for the petitioners and the State.

The petitioners seek bail in a case instituted for the
offence under Sections 147, 148, 149, 302, 326, 307, 379, 435,

120B of the Indian Penal Code as well as 27 of the Arms Act and 17 of the C.L.A. Act and 39, 10, 16, 13, 20, 21, 38 of U.A.P. Act.

Considering that the only material against the Petitioners is of general nature and that they were seen fleeing away with arms from the place of occurrence and they have fair antecedents, let the petitioners above named, be released on bail on furnishing bail bond of Rs. 5,000/-(Five thousand) each with two sureties of the like amount each or any other surety to be fixed by the court concerned to the satisfaction of learned S.D.J.M., Sherghati, Gaya/ Judicial Magistrate, 1st class, Sherghati, Gaya in connection with Barachatti (Mohanpur) P.S. Case No.528 of 2013, subject to the conditions (i) That one of the bailor 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 bailor will undertake to furnish information to the Court about any change in 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 bailor shall also state on affidavit that he 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 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, (v) That the petitioners will be well represented on each date if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

In view of the nature of the occurrence, the petitioners are directed to appear before the Superintendent of Police, Gaya within fifteen days of their release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioners will be kept under watch in this period by the superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the court concerned.

(Anjana Prakash, J)

Narendra/-

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