

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41850 of 2014

Arising Out of PS.Case No. -43 Year- 2014 Thana -BAUNSI District- ARRARIA

1. Radhe Rishideo Son of Late Vikku Rishideo
2. Siken Rishideo Son of Radhe Rishideo Both are Resident of Village-
Lakarighat, Musahari, P.S.- Bounsi, District- Araria

.... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Kr. Uday Pratap(App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 21-01-2015 Heard learned counsel for the parties.

The prayer for regular bail of the petitioners for offence under sections 147, 148, 149, 341, 323, 324, 302 of the Indian Penal Code has to be allowed because of two factors. Firstly, the petitioners have got no criminal antecedent and secondly, whatever allegations have surfaced against them apparently seen to an after thought of an earlier case filed by the side of the petitioners against the prosecution party alleging into an offence of rape by the deceased leading to retaliation by way of indiscriminate assault on the deceased by a number of persons.

That being so, this Court would direct for release of the petitioners, Radhe Rishideo and Siken Rishideo, on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Bounsi (Raniganj) P.S.Case No.

43/2014, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioner who will give 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 bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is 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.

(iii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if they fails to do so on two given dates and delays the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioners will be well represented on each and every date of trial and if they fails to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

surendra/-

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