

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46922 of 2014

Arising Out of PS.Case No. -180 Year- 2014 Thana -BANMANKHI District- PURNIA

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Mithun Ram S/o Sri Laxmi Ram, resident of Village Puranicity
Nakachowk, P.S. Sadar, District Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.48598 of 2014

Arising Out of PS.Case No. -180 Year- 2014 Thana -BANMANKHI District- PURNIA

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Shyam Nandan Sahay S/o Sri Laxman Prasad, resident of Sugar Mill
Colony, Banmankhi, P.S. Banmankhi, District Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.46922 of 2014)

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

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

(In Cr.Misc. No.48598 of 2014)

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

For the Opposite Party/s : Dr. Indiar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 20-02-2015

Since both the matters arise out of common P.S.Case,
hence both of them have been heard together and are being
disposed of by this common order.

The petitioners of both the cases seek bail in a
criminal prosecution registered under Sections 379 and 411 of the
Indian Penal Code.

Taking into consideration the period of incarceration
of the petitioners of both the cases i.e. since 13.07.2014 and
further taking into consideration that they are not involved in any

other criminal case except the present one, their prayer for bail is allowed. The above named two petitioners are ordered to be released on bail on furnishing bail bonds of Rs.25,000/-(Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Purnea in connection with Banmankhi P.S.Case No. 180 of 2014, subject to the following conditions:

(A) one of the bailors of each of the petitioners must be government servant or close family members of the petitioners who will file affidavits in the court below showing their relationships 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, and

(C) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in persons 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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