

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49181 of 2014

Arising out of P.S. Case No. -23 Year- 2014 Thana -LODIPUR
District- BHAGALPUR

- =====
1. Shivam Bharti @ Shivam Mandal Son of Suman Mandal
Resident of Village - Kanghiya, P.S. - Madhusudanpur,
District - Bhagalpur.
 2. Banti Mandal Son of Mangal Mandal Resident of Village -
Madarganj P.S. Amdarda, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Adv.

For the Opposite Party/s: Mr. Narendra Kumar Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 03.03.2015

Heard learned counsel for the Petitioners,

Informant and the State.

The Petitioners seek bail in a case instituted for the offences under Sections 302, 307 and 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

Considering that there is no specific overt act against the Petitioner against whom there is no similar case pending and the grand-father of the Petitioner No. 1 and the father of Petitioner No. 2 undertake their responsibility, let the Petitioners, above named be released on bail on furnishing bail bonds of Rs. 5,000/- (Five Thousand) each with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of concerned Judicial Magistrate, Bhagalpur in



connection with Lodipur P.S. Case No. 23 of 2014 subject to the following 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 and the other bailor shall be the grand-father namely Satyendra Mandal/father of the Petitioners respectively. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioners. (ii) 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 the ground of misuse. (iii) 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 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 date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Anjana Prakash, J.)

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