

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50064 of 2014

Arising Out of PS.Case No. -180 Year- 2014 Thana -RAJAULI District- NAWADA

- =====
1. Mithilesh Kumar @ Mitthu son of Sri Nandlal Prasad
 2. Jaidev Kumar, S/o Sri Mahendra Prasad
- Both resident of village - Meghatari Dibour, P.S. Koderma, District - Koderma (Jharkhand)
3. Anil Yadav son of Rajendra Yadav, resident of village - Gopalpur, P.S. Rajauli, Distt. - Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Adv.

For the State : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 06-01-2015 The case has been taken up for out of turn hearing on the slip filed on behalf of the Petitioners No. 1 and 3 that they have to appear in an examination on 11.1.2015 and 18.1.2015.

Heard learned counsel for the Petitioners and the State.

The Petitioners seek bail in a case instituted for the offence under Sections 420, 467, 468, 471, 120(B)/34 of the Indian Penal Code, Sections 65 and 66 of the Information Technology Act.

Considering that the Petitioners are in custody since 23.9.2014 and the entire case is based on documentary evidence



which has already been collected 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 below to the satisfaction of Chief Judicial Magistrate, Nawada, in connection with Rajauli P.S. Case No. 180 of 2014, G.R. No. 2653 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. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioners. (ii) That the affidavit shall clearly state that the Petitioners are not 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 the 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 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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