

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54 of 2015

Arising Out of PS.Case No. -39 Year- 2013 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Khurshid Ansari S/o Md. Jamruddin @ Jamruddin Ansari
 2. Naushad Ansari S/o Md. Jamruddin @ Jamruddin Ansari, both resident
of Kharihaniya, P.S. Dhaka (Pachapakri), District East Champaran
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Fazal Rahman, Advocate

For the Opposite Party/s : Mr. A.Dayal, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 08-01-2015

Heard learned Counsel for the petitioners and the State.

The petitioners seek bail in a case instituted for the offence under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

Considering that there is no specific overt act alleged against the Petitioners, who 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 Sub Divisional Judicial Magistrate, Sikrahana at Motihari, East Champaran in connection with Patahi P.S. Case No.39 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.

(Anjana Prakash, J)

Narendra/-

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