

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51782 of 2014

Arising Out of PS.Case No. -17 Year- 2008 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Mahendra Sah Son of Late Ramdhari Sah
2. Rakesh Sah@Rakesh Kumar Son of Shankar Sah Both residents of
Village - Wajidpur, P.S. Madhuban, District - East Champaran.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, App

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 15-04-2015 The petitioners were granted bail earlier by order dated 25.09.2014 on condition that an affidavit be filed on their behalf that they have fair antecedents. Since the petitioners were accused in another cases as stated in paragraph 3 such an affidavit could not be filed and hence they are in custody.

Considering that the petitioners were found fit for release on bail, let the above named petitioners 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 Sub-Divisional Judicial Magistrate, Sikarahana, East Champaran at Motihari, in connection with Madhuban P.S. Case No. 17 of 2008 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 bailors will undertake to furnish information to the court about any change in the address of the petitioners, (ii) that the bailors shall also state on affidavit that they 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 delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, and (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.

The petitioners are directed to deposit Rs. 250/- each in the District Legal Aid committee before their release.

(Anjana Prakash, J)

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