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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 15452 of 2015
Arising out of P.S. Case No. -430 Year- 2012 Thana -SAKRA District- MUZAFFARPUR

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1. Ajay Nath Ram Son of Ramdeo Ram
2. Vijay Ram Son of Ramdeo Ram
3. Ramdeo Ram Son of Late Sukhdeo Ram All are residents of village - Mahmadpur Kanth, P.S. - Sakra, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Abhay Kumar, Adv.
For the Opposite Party/s: Mr. Sanjay Kumar (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 27.05.2015 Heard learned counsel for the Petitioners and the State.

The Petitioners are apprehending their arrest in a case registered under Sections 341, 323, 448, 307, 354, 504 and 506/34 of the Indian Penal Code.

It has been submitted that it is highly improbable that the Petitioners being father and sons would indulge in misbehaving with girls and there is a counter-version of the occurrence.

Considering the aforesaid, let the Petitioners, above named be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from the date of receipt of the order 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 Chief Judicial Magistrate,

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Muzaffarpur in connection with Sakra P.S. Case No. 430 of 2012 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also 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 delays 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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