

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17297 of 2015

Arising Out of PS.Case No. -25 Year- 2014 Thana -SC/ST District- SHEOHAR

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1. Naresh Rai Son of Inardeo Rai,
2. Inardeo Rai, Son of Late Devaki Rai,
3. Bishundeo Rai, Son of Late Devaki Rai,
4. Shanti Devi, Wife of Inardeo Rai
All resident of village- Sumahuti, P.S. Tariyani, District- Sheohar
.... Petitioners

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 25-06-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for offence under sections 341, 323, 354, 379, 504/34 of the Indian Penal Code and section 3(i)(x) of the SC/ST Act and the fact that even after a specific allegation of assault on the informant, a lady, by as many as four persons not a single injury has been found nor there is any injury report and that there is also a counter case filed by petitioner no.1 against the prosecution party, this Court keeping in view that both the parties are neighbour who somehow are said to have settled the differences outside the court as per joint application filed by them on 25.3.2015, as also by taking into account that the petitioners have got no criminal antecedent would find the petitioners entitled

for privilege of anticipatory bail.

That being so, if the petitioners, 1. Naresh Rai, 2. Inardeo Rai, 3. Bishundeo Rai and 4. Shanti Devi, surrender before the court below within a period of four weeks from today, they shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sheohar in Sheohar SC/ST P.S.Case No. 25/2014, subject to the following conditions:

(i) That the court below shall make verification of criminal antecedent of the petitioners and if it is found that they are accused in any other criminal case, they shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(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 his 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 be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

surendra/-

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