

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2550 of 2015

Arising Out of PS.Case No. -44 Year- 2014 Thana -PHENHARA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Umesh Sahani Son of Daroga Sahani
 2. Kamal Sahani Son of Siyaram Sahani
 3. Rabindra Sahani Son of Chhathu Sahani
 4. Awadhesh Sahani Son of Nagendra Sahani
 5. Daroga Sahani Son of Late Molahi Sahani
 6. Ramyash Sahani Son of Late Jai Kishun Sahani All resident of village - Ibrahimpur Parsauni Kothi, P.S. Phenhara, District - East Champaran, Motihari

.... Petitioner/s

Versus

1. The State of Bihar
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Devendra Kumar
For the Opposite Party/s : Mr. Bharat Lal (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 22-01-2015 Heard learned counsel for the Petitioners and the State.

The Petitioners seek bail in a case instituted for the offence under Section(s) 147, 148, 149,323,324,307,379,447,448 and 504 of the Indian Penal Code.

Considering that there is counter version of the occurrence and the fact that the petitioners have fair antecedents, in the event of surrender/arrest of the Petitioners, named above, within four weeks from the date of receipt/production of a copy of this order in connection with Phenhara P.S. Case No. 44 of 2014, they shall be released on **anticipatory 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 the Judicial Magistrate 1st Class, Sikarahna at

Motihari, subject to the conditions as laid down under sections 438(2) Cr. P. C. subject to the 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 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 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,(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, and (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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