

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17672 of 2015

Arising Out of PS.Case No. -373 Year- 2014 Thana -AHIAPUR District- MUZAFFARPUR

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1. Naresh Sahani @ Ram Naresh Kumar Son of Muneshwr Sahni, resident of Village- Dadar Kolhuwa, P.S.- Ahiyapur, District- Muzaffarpur.
 2. Rakesh Sonar @ Rakesh Kumar, Son of Ramchandra Sah, resident of Village- Kolhuwa Paigambarpur, P.S.- Ahiyapur, District- Muzaffarpur.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn, Advocate.

For the Opposite Party/s : Mr. C. Jawahar (APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 16-07-2015

Heard learned counsel for the parties.

Having regard to the fact that petitioners face prosecution for offence under Sections 307 and other allied offences of the penal code and under Section 27 of the Arms Act and the fact that co-accused Md. Hashim @ Md. Aashim @ Panchu having identical allegation has already been granted privilege of anticipatory bail by an order dated 12.02.2015 in Cr. Misc. No. 5986 of 2015, this Court in order to maintain parity shall grant the same privilege to the petitioners.

That being so, if the petitioners, namely, Naresh Sahani @ Ram Naresh Kumar and Rakesh Sonar @ Rakesh Kuamr 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/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with

Ahiyapur P.S.Case No. 373 of 2014, subject to the following conditions:

(i) That both the bailors will be close family relatives of the petitioners, who will undertake 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.

(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 their bail on the ground of misuse.

(iv) That the petitioners will be well represented on each and every date in course 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.

Sujit/-

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(Mihir Kumar Jha, J)