

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23287 of 2015

Arising Out of PS.Case No. -57 Year- 2015 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Ashok Ram son of Madan Ram
 2. Santosh Ram son of Madan Ram
 3. Rambabu Ram son of Deonarayan Ram
 4. Heeraman Sah son of Ghunbhani Sah @ Yoge All are residents of village Gunwalia Naya Basti, P.S. Manuapul, Distt. West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv
For the Opposite Party/s : Mr. Manish Kumar No.2(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 21-08-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offences punishable under Sections-302, 201, 120B/34 of the Indian Penal Code and that there is nothing specific against the petitioners and whatever allegation even in respect of occurrence of more than one and a half year old has been made subject matter of the FIR will involve any Prabhawati Devi and not directly these petitioners, this Court keeping in view that the petitioners have no criminal antecedent would be inclined to grant the privilege of anticipatory bail to

the petitioners.

That being so, if the petitioners namely, **petitioner no. 1, Ashok Ram, petitioner no. 2, Santosh Ram, petitioner no. 3, Rambabu Ram and petitioner no. 4, Heeraman Sah**, surrender within a period of four weeks from today, they would 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 **Chief Judicial Magistrate, Bettiah, West Champaran** in connection with **Bettiah Moffassil (Manuapul) P.S. Case No. 57 of 2015**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That the court below shall make verification of criminal antecedent of the petitioner nos. 1, 2, 3 and 4 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 close relative of the petitioner nos. 1, 2, 3 and 4 who will give an affidavit giving genealogy as to how they are related with the petitioner nos. 1, 2, 3 and 4. The bailors will also undertake to inform the Court

if there is any change in the address of the petitioners.

(iii) That the bailors shall also state on affidavit that they will inform the Court concerned if the petitioner nos. 1, 2, 3 and 4 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 petitioner nos. 1, 2, 3 and 4 will give an undertaking that they will receive the police papers on the given date and be present on the 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 petitioner nos. 1, 2, 3 and 4 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.

Ranjan/-
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(Mihir Kumar Jha, J)