

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25295 of 2015

Arising Out of PS.Case No. -229 Year- 2014 Thana -KATEYA District- GOPALGANJ

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1. Bhola Lal @ Bhola Srivastava @ Bhola Prasad Son of Late Gumasta Lal
2. Mantoo Lal @ Pankaj Srivastawa, son of Bhola Srivastava
3. Kashi Choudhary, Son of Late Suyali Chaudhary, All are residents of
village- Betwania, P.S.- Kateya, District- Gopalganj Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

3 26-08-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 323, 379, 452, 504/34 of the Indian Penal Code and section 3(i)(x) of the SC/ST Act and that there is only omnibus allegation against the petitioners as well as the petitioners have got no criminal antecedent, this Court would be inclined to grant privilege of anticipatory bail to the petitioners.

That being so, if the petitioners, Bhola Lal @ Bhola Srivastava @ Bhola Prasad, Mantoo Lal @ Pankaj Srivastawa and Kashi Chaudhary, 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 Sri R.K.Pandey, Judicial Magistrate, Gopalganj in Kateya P.S.Case No. 229/2014, 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 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 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 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 delay 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 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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