

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17800 of 2015

Arising Out of PS.Case No. -48 Year- 2015 Thana -BAKHRI District- BEGUSARAI

1. Pramod Chaudhary Son of Baleshwar Chaudhary
2. Birju Chaudhary son of Rameshwar Chaudhary
3. Babuain Chaudhary son of Baleshwar Chaudhary All residents of
Village- Bhuidhara, P.s- Bakhri, District- Begusarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.23704 of 2015

Arising Out of PS.Case No. -48 Year- 2015 Thana -BAKHRI District- BEGUSARAI

Madan Choudhary S/o Rameshwar Choudhary Resident of Village
Bhuidhara, P.S. Bakhri, District Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.17800 of 2015)

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Shantanu Kumar (App)

(In Cr.Misc. No.23704 of 2015)

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Meena Singh(App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 02-07-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 269, 272, 273, 290, 291 of the Indian Penal Code and section 47(A) of the Excise Act and that the petitioners in both the cases claim that it is their first implication in relation to offence under the Excise Act, this Court would be inclined to grant

privilege of anticipatory bail to the petitioners.

That being so, if the petitioners, namely, Pramod Chaudhary, Birju Chaudhary, Babuain Chaudhary and Madan Choudhary, surrender before the court below within a period of four weeks from today, they on being found that they have no criminal antecedent 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, Begusarai in Bakhri P.S.Case No. 48/2015, subject to the following conditions:

(i) 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.

(ii) 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 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.

(iii) 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.

(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.

surendra/-

(Mihir Kumar Jha, J)

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