

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25296 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -CHAINPUR District- BHABHUA (KAIMUR)

1. Nand Kishore Pandey
2. Raj Kishore Pandey Both are sons of Jamwant Pandey, resident of
village- Lodipur, P.S.- Chainpur, District- Kaimur
..... Petitioners

Versus

The State of Bihar

..... Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak

For the Opposite Party/s : Mr. Rita Verma (App)

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 341, 323, 324, 325, 448, 354, 379/34 of the Indian Penal Code this Court by taking into account that whatever allegations have been made in the present case against the petitioners can also be by way of an effort to implicate them due to earlier case filed by the sister of the petitioners being Chainpur P.S.Case No. 45/2010 for offences under sections 341, 323, 427, 376, 511, 504/34 of the Indian Penal Code and that the petitioners have got no criminal antecedent, it would be inclined to grant privilege of anticipatory bail to the petitioners.

That being so, if the petitioners, Nand Kishore Pandey and Raj Kishore Pandey, 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 the Chief Judicial Magistrate, Bhabua in Chainpur P.S.Case No. 52/2015, 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.

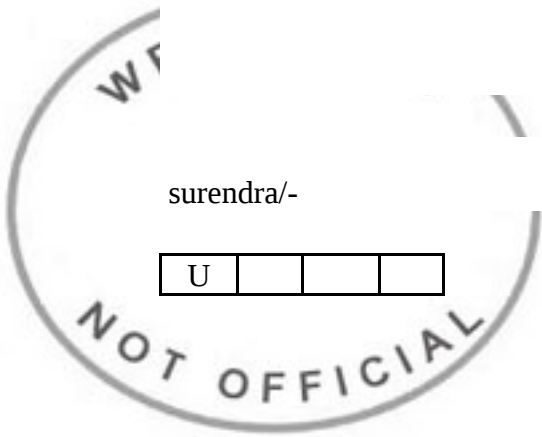
(ii) That both the bailors will be close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(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)