

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36267 of 2014

Arising Out of PS.Case No. -78 Year- 2014 Thana -NAGARNAUSA District- NALANDA
(BIHARSHARIFF)

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1. Ajit Prasad .
2. Ramjeet Prasad @ Ranjeet Prasad
Both sons of Late Sukhdeo Prasad , resident of village Usmanpur , P.S.
Nagarnausa , District - Nalanda .

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra
Mr.Varun Kumar

For the Opposite Party/s : Mr. Rana Randhir Singh, Addl.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 11-02-2015 Heard the parties.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 307/34 and some other allied offences of the Indian Penal Code.

It is submitted that the informant as also the petitioners are full brothers and occurrence in question had taken place on account of certain property dispute. It is further submitted that the co-accused Janak Prasad, who is also full brother of the petitioners as also the informant, has already been granted anticipatory bail by an order dated 10.02.2015 passed in Cr.Misc.No.32757 of 2014 by a Bench of this Court.

Learned Addl.P.P. appearing on behalf of the State does not dispute the aforesaid submissions.

In the facts and circumstances of the case, the prayer for anticipatory bail is allowed. In the event of their arrest or surrender in the court below within a period of four weeks from today, let the above named petitioners be enlarged on bail on

furnishing bail bond of Rs. 25,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Nagar Nausa P.S. Case No. 78 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and subject to further conditions that:

(A) One of the bailors must be government servant or close family members of the petitioners, who will file an affidavit in the court below showing his/her relationship with the petitioners,

(B) if the petitioners are found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioners, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;

(C) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in person or through representation by their lawyer on each and every date, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioners.

Arvind/-

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(Birendra Prasad Verma, J)