

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35697 of 2014

Arising Out of PS.Case No. -20 Year- 2014 Thana -UPHARA District- AURANGABAD

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1. Arun Singh
2. Arvind Singh
3. Rakesh Singh @ Rakesh Kumar Singh All Sons of Kedar Singh
4. Sonu Kumar S/o Arun Kumar All resident of village- Basawanpur, P.S.-
Upahara, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv with Dr.
Leelawati Kumari, Adv

For the Opposite Party/s : Mr. Awadhesh Kr Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

2 27-03-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioners are facing prosecution for the offences punishable under Section-147, 148, 149, 341, 323, 324, 504 and 307 and other allied offences of the Indian Penal Code and that they have a cut out defence that the present case is a counter blast version of an earlier case filed by the petitioners as with regard to assault on their father who ultimately has succumbed to those injuries of the prosecution party of this case and the accused persons of that counter case have been granted anticipatory bail by this Court by an order dated 20.02.2015 in Criminal



Miscellaneous No. 37019 of 2014 and Criminal Miscellaneous No. 37122 of 2014, as also the petitioners have got no criminal antecedent this Court would also direct that if the petitioners namely, **Arun Singh, Arvind Singh, Rakesh Singh and Sonu Kumar**, surrender within a period of four weeks from today, they would be released on anticipatory 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, Aurangabad** in connection with **Upaharan P.S. Case No. 20 of 2014** subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) 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.

(ii) 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.

(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 delays 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.

(Mihir Kumar Jha, J)

Ranjan/-

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