

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37669 of 2014

Arising Out of PS.Case No. -208 Year- 2013 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

- =====
1. Bhallu Rai @ Mallu Rai sn Mukhdeo Rai.
 2. Mukhdeo Rai, sn Lovit Rai @ Ram Lolin Rai.
 3. Soniya Devi, wife of Mukhdeo Rai.

All resident of Village- Govindpur, P.S.- Bidupur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Choudhary, Advocate.

For the Opposite Party/s : Mr. Uday Chandra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 27-02-2015

Heard learned counsels for the parties.

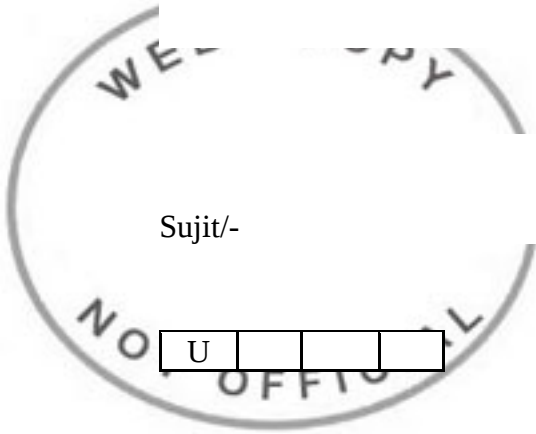
Having regard to the nature of allegation against the petitioners for offence under Sections 323, 341, 354, 376, 379, 380, 452, 511/34 of the Indian Penal Code and Section 27 of the Arms Act and the fact that this case seems to be in retaliation of earlier complaint case filed by the petitioner no. 3 against the complainant, this Court, by taking into account that the petitioners have also got no criminal antecedent, would be inclined to grant them anticipatory bail.

That being so, if the petitioners, namely, Bhallu Rai @ Mallu Rai, Mukhdeo Rai and Soniya Devi, surrender within a period of four weeks from today, the court below shall grant them bail on furnishing bail bonds of Rs. 10,000/- each with two

sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S.Case No. 208 of 2013, subject to the following conditions:

- (i) That both the bailors will be close family relatives of the petitioners, who will undertake 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 addresses of the petitioners.
- (ii) That the affidavit shall clearly state that the petitioners are not accused in any other case and if they are, they shall not be released on bail.
- (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 bail on the ground of misuse.
- (iv) That the petitioners will be well represented on each and every date in course 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)