

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41450 of 2014

Arising Out of PS.Case No. -130 Year- 2014 Thana -SONO District- JAMUI

1. Lallu Sah, Son of Saryug Sah
2. Saryug Sah, Son of Ghanshyam Sah
Both resident of Village - Sabaijor, P.S. - Sono, District - Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Singh
Mr. Umesh Prasad
For the Informant : Mr. Raj Kumar
For the Opposite Party/s : Mr. Gajendra Pd. Yadav, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 20-03-2015

Heard.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 307/149 and some other allied minor or bailable offences under the Indian Penal Code.

Taking into consideration the fact that there appears to be a case and a counter case vide Annexure-1 and 2 respectively from both sides and further taking into consideration the fact that, though the petitioners are alleged to have assaulted one Chauwa Sah, but his injury report is not available on the record, as has been noticed in the impugned order passed by the learned Sessions Judge, this Court is inclined to accede to the prayer made on behalf of the petitioners for grant of anticipatory bail. Accordingly, their 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 A.C.J.M., Jamui in connection with Sono P.S. Case No. 130 of 2014, subject to the conditions 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 member 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.

(Birendra Prasad Verma, J)

Arvind/-

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