

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47010 of 2014

Arising Out of PS.Case No. -220 Year- 2012 Thana -BIRPUR District- SUPAUL

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1. Fagu Ram S/o Basudeo Ram
2. Arun Ram S/o Fagu Ram
3. Kaleshwar Ram S/o Ramphal Ram
All are Resident of Village Bhagwanpur, Police Station Birpur, District
Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate.

For the Opposite Party/s: Mrs. Anusuaiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 23-04-2015 Heard learned counsel for the parties.

Learned counsel for the petitioners prays for and is
allowed to make correction in para-1 of the application so far it
relates to offence made in the FIR.

Having regard to the nature of allegation against the
petitioners for offence under Sections 406 and 420/34 of the
Indian Penal Code and that the FIR itself gives a look of out and
out a civil dispute with regard to share of the informant in the joint
family property being somehow sold by the petitioners without
any authority and that the petitioners have got no criminal
antecedent, this Court would be inclined to grant privilege of
anticipatory bail to the petitioners.



That being so, if the petitioners, namely, Fagu Ram, Arun Ram and Kaleshwar Ram 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/- each with two sureties of the like amount to the satisfaction of the learned Sub Divisional Judicial Magistrate, Birpur (Supaul) in connection with Birpur P.S.Case No. 220 of 2012 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 their 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)

Sujit/-

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