WEB COPY NOT OFFICIAL

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51772 of 2014

Arising Out of PS.Case No. -242 Year- 2013 Thana -GAURICHAK District- PATNA

==========

1. Mahangu Mochi Son of Late Tulsi Mochi Resident of Village - Jamharu, P.S. - Paliganj, District - Patna.
2. Arbind Ram, Son of Ram Pravesh Das Resident of Village - Nuawan, P.S. - Sakurabad, District - Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Ajay Kumar Jain, Advocate.

For the Opposite Party/s : Mr. R.N.Jha, APP.

==========

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 12-08-2015 Heard learned counsel for the parties.

The prayer for anticipatory bail of both the petitioners was rejected earlier by an order of this Court dated 04.06.2014 in Cr. Misc. No. 10972 of 2014, but then keeping in view that the girl subsequently was recovered and she had also given a statement under Section 164 of the Cr.P.C. on 25.02.2015 stating inter alia her age to be 20 years as against the age of 14 years recorded by her father in the F.I.R. and also that she had married one Mukesh Kumar, who is the son of the petitioner no. 1 and brother-in-law of the petitioner no. 2, this Court would be inclined to grant privilege of anticipatory bail to the petitioners.

That being so, if the petitioners, namely, Mahangu Mochi and Arbind 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 each to the satisfaction of the learned Additional Chief Judicial Magistrate, Patna City in connection

with Gaurichak P.S.Case No. 242 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 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/-

U			