

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51107 of 2014

Arising Out of PS.Case No. -148 Year- 2014 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Bhulan Singh @ Rana Pratap Singh
2. Jay Singh Both sons of Late Sadhu Singh, both residents of village-
Mangalpur, P.S.- Ramgarhwa, District- East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri

For the Opposite Party/s : Mrs. Nirmala Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 14-05-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 147, 148, 341, 323, 342, 324, 325, 307, 384, 379, 504 of the Indian Penal Code and that there is a criminal history on the part of petitioner no.1, this Court having regard to the nature of injuries sustained by the informant Pawan Yadav, who was also immediately examined by the doctor and followed by the written report of the informant would not be inclined to grant privilege of anticipatory bail of petitioner no.1 only because he subsequently on 16.8.2014 had filed a complaint case against the complainant.

The case of petitioner no.2 Jay Singh, however, will stand on a different footing because he has got no criminal antecedent and therefore, while rejecting the prayer for anticipatory bail of



petitioner no.1, Bhulan Singh @ Rana Pratap Singh this Court would direct that if petitioner no.2, Jay Singh, surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari in Ramgarhwa P.S.Case No. 148/2014 (G.R.No. 835/2014), subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his 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.

(iii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so

on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

surendra/-

(Mihir Kumar Jha, J)

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