

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45934 of 2015

Arising Out of PS.Case No. -136 Year- 2015 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Dhruv Kunwar @ Dhruv Dev Kunwar son of Late Janak Kunwar
 2. Ashok Kunwar son of Late Jamdar Kunwar
 3. Shail Devi wife of Late Jamdar Kunwar All residents of village - Gopi Chhapra, P.S. - Kesariya, District - East Champaran.
 4. Chandra Prabha Devi wife of Paras Singh
 5. Ajay Singh son of Paras Singh Both residents of Village - Mananpur, P.S. - Kalyanpur, District - East Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Gopesh Kumar (App)

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 02-11-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 341, 323, 324, 307, 354, 379, 504/34 of the Indian Penal Code and that there is an earlier version of the same occurrence at the instance of petitioner no.4, wherein three persons are said to have received injury in the hand of the prosecution party, this Court by taking into account that none of the petitioner has got any criminal antecedent and that the two injuries allegedly suffered by the informant in this case also are by way of swelling and thus, simple in nature, would be inclined to grant privilege of anticipatory bail to all the petitioners.



That being so, if the petitioners, namely, 1. Dhruv Kunwar @ Dhruv Dev Kunwar, 2. Ashok Kunwar, 3. Shail Devi, 4. Chandra Prabha Devi and 5. Ajay Singh, 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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Dwijendra Kumar, Judicial Magistrate, 1st Class, East Champaran at Motihari in Kesariya P.S. Case No. 136/2015, subject to the following conditions:

(i) That the court below shall make verification of criminal antecedent of the petitioners and if it is found that they are accused in any other criminal case, they shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be a close relative of the petitioners who will give 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 address of the petitioners.

(iii) That the bailor shall also state on affidavit that he 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 give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(v) That the petitioners will be well represented on each and every date 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)

surendra/-

U			
---	--	--	--