

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 45394 of 2015

Arising out of P.S. Case No. -161 Year- 2015 Thana -CHAINPUR
District- BHABHUA (KAIMUR)

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1. Ram Pyare Singh @ Ram Pyare Yadav, son of Late Shree Shiv Mangal Singh Yadav, resident of Village- Madurana, Post-Hata, Ward No. 10, P.S. Chainpur, District- Kaimur at Bhabua.
 2. Yogendra Yadav.
 3. Jitendra Yadav.
 4. Dharmendra Yadav Sl. No. 2 to 4 are sons of Late Babu Lal Yadav and resident of Village- Madurana, P.S. Chainpur, District- Kaimur at Bhabua.
 5. Shyam Bihari Singh @ Bihari Yadav, Son of Shree Naresh Yadav (in accused column of F.I.R. it has wrongly been stated to be Late Naresh Yadav) and resident of Village- Marai Par, P.S. Chainpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjani Kumar Sinha No-1, Adv.

For the Opposite Party/s: Mr. A.L. Pandit (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL ORDER

02. 14.10.2015

Heard learned counsel for the Petitioners and the State.

The Petitioners are apprehending their arrest in a case registered under Sections 302 and 201/34 of the Indian Penal Code.

Considering that there is no direct material against the Petitioners, let them be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from the date of receipt of the order on furnishing bail bonds of Rs. 5,000/- (Five Thousand) each with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Additional Chief Judicial Magistrate, Bhabhua, Kaimur at Bhabhua in connection with Chainpur P.S. Case No. 161 of 2015 subject to the conditions as laid down under Section 438(2)

of the Code of Criminal Procedure as also subject to the following conditions:- (i) That one of the bailors will be a close relative of the Petitioners who will give an affidavit giving genealogy as to how he is related with the Petitioners. The bailor will also undertake to inform the Court if there is any change in the address 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 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 date fixed for charge and if they fail to do so on two given dates and delays 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 date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Anjana Prakash, J.)

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