

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45834 of 2014

Arising Out of PS.Case No. -236 Year- 2014 Thana -NATHNAGAR District- BHAGALPUR

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1. Tusha Devi Wife of Bajrangi Tanti
2. Suman Devi Wife of Dilip Tanti
3. Dilip Tanti Son of Bajrangi Tanti All the resident of village- Shrirampur
Tanti Tola, P.S.- Nathnagar, District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 10-04-2015 Heard learned counsel for the Petitioners and the State.

It has been submitted that Petitioner no. 3 has been arrested.

Accordingly, the petition as against him is dismissed as having become infructuous.

So far as the rest of the petitioners are concerned, without going into the veracity of the allegation, in the event of surrender/arrest of the Petitioners no. 1 and 2, within four weeks from the date of receipt/production of a copy of this order in connection with Nathnagar P.S. Case No. 236 of 2014, they shall be released on anticipatory bail on furnishing bail bond of Rs. 5,000/- (five thousand) each with two sureties of the like amount each or any other surety to be fixed by the court below to the satisfaction of the Chief Judicial Magistrate, Bhagalpur subject to the conditions as laid down under sections 438(2) Cr. P. C. subject to the 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 bailors will undertake to furnish information to the court about 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 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 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 delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, and (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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