

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46615 of 2015

Arising Out of PS.Case No. -149 Year- 2013 Thana -BALRAMPUR District- KATIHAR

- =====
1. Santo Roy, son of late Kalchu Rai, &
 2. Meno Devi, wife of Santo Ray, resident of village-Rajaul, P.S.-
Balrampur, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hodad, Advocate

For the Opposite Party/s : Mr. S. Ehteshamuddin, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 15-10-2015

Heard learned counsel for the Petitioners and the
State.

The Petitioners apprehend their arrest in a case
instituted for the offence under Section(s) 366-A and 376/34
Indian Penal Code.

Considering that the name of the Petitioners were not
disclosed in the statement of the victim recorded under Section
164 Cr. P.C. and they have fair antecedents, it is ordered that in
the event of surrender/arrest of the Petitioners, named above,
within four weeks from the date of receipt/production of a copy of
this order in connection with Balrampur P.S. Case No.149 of
2013, they shall be released on anticipatory bail on furnishing bail
bond of ₹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 Additional Sessions Judge, 1st, Katihar,

subject to the conditions as laid down under Section 438(2) Cr. P. C. and (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.

JA/-

(Anjana Prakash, J)

U		T	
---	--	---	--