

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51179 of 2014

Arising Out of PS.Case No. -271 Year- 2014 Thana -NATHNAGAR District- BHAGALPUR

- =====
1. Jagdish Das @ Jagdish Ravidas son of Late Dhanna Das @ Late Dhanna Ravidas
 2. Narsingh Das @ Narsingh Ravidas, son of Late Chaturi Das @ Late Chaturi Ravidas, Both residents of Village- Shahpur Mohidinpur, P.S.- Nathnagar, District- Bhagalpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha

For the Opposite Party/s : Mr. Ramshankar Das(Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 19-05-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under section 376/34 of the Indian Penal Code and Section 3(1)(x)(xii) of the SC/ST Act and that the police in course of investigation has found the offence to be true only for offence under sections 354, 341, 504/34 of the Indian Penal Code dropping the major section 376/34 I.P.C. and also offence under the SC/ST Act, this Court by taking into account that the earlier case was filed by the co-accused Bihari Yadav against the prosecution party and that the petitioners also have got no criminal antecedent would direct that if the petitioners, Jagdish Das @ Jagdish Ravidas and Narsingh Das @ Narsingh Ravidas, 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 the Chief Judicial Magistrate, Bhagalpur in Nathnagar P.S. Case No. 271/2014, subject to the following conditions:

(i) 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.

(ii) 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.

(iii) 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.

(iv) 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.

surendra/-

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(Mihir Kumar Jha, J)