

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51200 of 2014

Arising Out of PS.Case No. -57 Year- 2013 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Pragash Sah @ Prakash Sah S/O Late Dhuri Sah
 2. Bedanti Devi @ Bidawati Devi, W/o Prem Sah,
 3. Sabita Devi W/O Munni Sah
 4. Manisha Devi W/o Rajesh Sah
- All Resident of Village- Lakara, P.O.- Dudhiyawa, P.S.- Nawalpur,
District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Rajiv Nayan (APP)

=====

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 147, 148, 149, 341, 342, 323, 324, 307, 302 & 120B of the Indian Penal Code and that the police, in course of investigation, did not find the allegation against the petitioners to be true, whereafter, the final form was submitted and that they have been now sought to be made accused only on the basis of protest petition filed by the Informant and also the fact that the petitioners have got no criminal antecedent, this Court, by taking into account that even the two accused persons, namely, Munni Sah and Gorakh Sah, who were having a similar allegation, have

also been acquitted by the trial court, would be inclined to grant privilege of anticipatory bail to all the four petitioners.

That being so, if the petitioners, namely, Pragash Sah @ Prakash Sah, Bedanti Devi @ Bidawati Devi, Sabita Devi and Manisha Devi 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 Chief Judicial Magistrate, West Champaran at Bettiah in connection with Yogapatti (Nawalpur) P.S. Case No. 57 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-

- (i) That both the bailors will be a close relative of the petitioners, who will undertake 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 affidavit shall clearly state that the petitioners are not an 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 be well represented on each and every date in course of trial and if they fail to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Rishi/-

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