

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48458 of 2015

Arising Out of PS.Case No. -46 Year- 2015 Thana -BASANTPUR District- SIWAN

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1. Tarkeshwar Prasad Pandey, son of Late Madan Mohan Prasad Pandey,
 2. Shashibala Devi, wife of Tarkeshwar Prasad Pandey,
 3. Rakesh Kumar @ Mithun Kumar Shrivastava, son of Tarkeshwar Prasad Pandey,
 4. Ajit Kumar, son of Tarkeshwar Prasad Pandey,
 5. Binki Kumari, daughter of Tarkeshwar Prasad Pandey, all are resident of village- Kishunpura, Police Station- Basantpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 16-10-2015

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in a case instituted for the offence under Section(s) 302, 201/34 Indian Penal Code.

Considering that there is no direct material against the Petitioners, who 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 Basantpur P.S. Case No.46 of 2015, 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 Chief Judicial Magistrate, Siwan, 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)

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