

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49824 of 2015

Arising Out of PS.Case No. -419 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

- =====
1. Sandip Kumar, aged about 23 years, S/o Ashok Thakur
 2. Shubham Kumar @ Sambhu Kumar aged about 18 year, S/o Ashok Thakur Both resident of village Chhoti Marai, P.S.- Hazipur Town, District- Vaishali
 3. Kaushal Kumar, aged about 19 years, S/o Pappu Thakur, R/o Village- Pauni Hasanpur, P.S.- Vaishali, District- Vaishali

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Neerad Parashar

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 05-11-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 448, 341, 323, 354, 505, 506, 509, 379, 427 of the Indian Penal Code and section 3(v), (iii), (ii), (x), (xi) of the SC/ST Act, this Court by primarily taking into account that the dispute seems to be only on account of purchase of land by the son of the informant and that the informant is not an eye witness to the first part of the alleged theft in his house and the second part of the allegation of offence under the SC/ST Act to have been also not committed in public view and also that none of the petitioners have any criminal antecedent, would find the petitioners to be entitled for privilege of anticipatory bail.



That being so, if the petitioners, namely, 1. Sandip Kumar, 2. Shubham Kumar @ Sambhu Kumar and 3. Kaushal Kumar, 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, Hajipur in Town P.S. Case No. 419/2015, subject to the following conditions:

(i) That the court below shall make verification of criminal antecedent of the petitioners and if it is found that they are accused in any other criminal case, they shall not be granted bail and would be taken into custody.

(ii) 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.

(iii) 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.

(iv) 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.

(v) 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/-

(Mihir Kumar Jha, J)

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