

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48568 of 2015

Arising Out of PS.Case No. -95 Year- 2015 Thana -KISHUNPUR District- SUPAUL

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1. Dukhan Sah @ Dukhi Sah Son of Late Khattar Sah
 2. Saro Devi Wife of Dukhan Sah
 3. Vidyanand Sah
 4. Shivam Sah
 5. Ramu Sah
 6. Dev Nandan Sah @ Devanand Sah
 7. Lakhan Sah
 8. Mukesh Sah @ Mukesh Kumar, All are sons of Dukhan Sah resident of village - Parsamadhoo, P.S. Kishanpur, District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 16-10-2015 Learned Counsel for the Petitioners seeks permission to withdraw the application so far as the Petitioner No.3 since he has been arrested.

Application as against the Petitioner No.3 is dismissed as having become infructuous.

As for Petitioners No.1, 2 and 4 to 8 are concerned, considering the genesis of the occurrence and the fair antecedents of the Petitioners, let the petitioners No.1, 2 and 4 to 8 above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of four



weeks from the date of receipt of this order in connection with Kishanpur P.S. case No.95 of 2015 on furnishing bail bonds of Rs.5,000/- (five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Supaul, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also conditions (i) That one of the bailor 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 bailor will undertake to furnish information to the Court about any change in 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 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 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, (v) That the petitioners will be well represented

on each date if they fail to do so on two consecutive dates, their
bail will be liable to be cancelled.

(Anjana Prakash, J)

Narendra/-

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