

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52279 of 2015

Arising Out of PS.Case No. -113 Year- 2015 Thana -KOPA District- SARAN

- =====
1. Raj Kishore Sah son of Mishri Sah
 2. Ratnesh Sah son of Raj Kishore Sah @ Ratnesh Kumar Sah, resident of village Kopa, P.S. Kopa, District Chapra (Saran)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL ORDER

2

10-11-2015

It has been submitted that the Petitioner No.1 has been

arrested and, therefore, his application has become infructuous.

The application filed on behalf of Petitioner No.1 is dismissed as having become infructuous.

Heard learned counsel for the petitioner No.2 and the State.

The petitioner No.2 is apprehending his arrest in a case registered under Section 341, 323, 324, 504 and 307 of the Indian Penal Code.

Considering that there is counter version of the occurrence and the Petitioner No.2 has fair antecedents, let the petitioner No.2 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 Kopa P.S. case No.113 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, Saran, 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 petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will undertake to furnish information to the Court about any change in address of the petitioner. (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is he shall not be released on bail, (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his 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 petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse, (v) That the petitioner will be well represented on each date if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

Narendra/-

(Anjana Prakash, J)

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