

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35125 of 2014

Arising Out of PS.Case No. -83 Year- 2013 Thana -GHOSBARI District- PATNA

1. Sikandar Kumar @ Sikandar Manjhi, S/o Indradeo Manjhi, resident of village Gosain Gaon (Tarbanna), P.S. Ghoswari, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.36342 of 2014

Arising Out of PS.Case No. -83 Year- 2013 Thana -GHOSBARI District- PATNA

1. Anil Manjhi, son of Ram Prasad Manjhi, resident of Gosaigaon Tarbana P.S.- Ghoshwari, District- Patna .

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

With

Criminal Miscellaneous No.41429 of 2014

Arising Out of PS.Case No. -83 Year- 2013 Thana -GHOSBARI District- PATNA

1. Jitendra Kumar, son of Shankar Manjhi, resident of village - Tarwana Gosaigaon, P.S.-Ghoshwari, District -Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.35125 of 2014)

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

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

(In Cr.Misc. No.36342 of 2014)

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Pd., APP

(In Cr.Misc. No.41429 of 2014)

For the Petitioner/s : Mr. Ram Shankar Prasad, Advocate

For the Opposite Party/s : Mr. Binod Kumar 2, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3/ 20-01-2015

Heard learned counsel for the Petitioners and the

State.

The Petitioners seek bail in a case instituted for the offence under Section(s) 399, 402, 307, 353/34 Indian Penal Code and Sections 3, 4 and 5 of the Explosives Substance Act.

Considering that the Petitioners' name transpired in the confessional statement of the co-accused, who was caught at the spot, but have fair antecedents, let the Petitioners, above named, be released on 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 Additional Chief Judicial Magistrate, Barh, Patna (Cr. Misc. No.35125 of 2014 & Cr. Misc. No.36342 of 2014) / Sri R. V. Kumar, Judicial Magistrate, 1st class, Barh, Patna (Cr. Misc. No.41429 of 2014) in connection with Ghoswari P.S. Case No. 83 of 2013 subject to the conditions:

- (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 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 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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