

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44493 of 2014

Arising Out of PS.Case No. -171 Year- 2014 Thana -DANAPUR District- PATNA

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1. Vijay Paswan, son of Late Krishna Paswan,
 2. Sunny Paswan, son of Bishu Paswan, both resident of Naya Gaon, P.S. - Alamganj, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Veena Rani Pd., APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 30-01-2015

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 Indian Penal Code and Sections 25(1-b)A, 26 and 35 of the Arms Act.

Considering that the Petitioners are in custody since 01.04.2014 and only subsequently they were remanded in other cases and now undertake to be responsible, 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, Danapur, in connection with Danapur P.S. Case No.171 of 2014 subject to the conditions:

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- (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 and another bailor shall be father/brother/mother of the Petitioners. The bailors will undertake to furnish information to the court about any change in the address of the petitioners,
 - (ii) 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,
 - (iii) 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
 - (iv) 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.

In the nature of allegation, the petitioners are directed to appear before the Sr. Superintendent of Police, Patna, within fifteen days of their release with a copy of this order and every

two weeks thereafter for the next six months. The conduct of the petitioners will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the court concerned.

(Anjana Prakash, J)

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