

**IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 55003 of 2015**

Arising out of P.S. Case No. -82 Year- 2015 Thana -RAJPUR
District- EASTCHAMPARAN(MOTIHARI)

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1. Jitu Sah S/o Jokhu Sah.
 2. Ramjee Sah Son of late Matuk Sah.
 3. Hiralal Sah @ Hira Sah Son of Asarfi Sah.
 4. Jokhu Sah @ Tokhu Sah Son of Late Khakhanu Sah.
 5. Asharfi Sah Son of Late Khakhanu Sah.
 6. Mithu Sah Son of Jokhu Sah All residents of Village -
Salempur, P.S. - Rajepur, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No. III, Adv.

For the Opposite Party/s: Mr. Shailendra Kumar Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 08.12.2015

Heard learned counsel for the Petitioners and the
State.

The Petitioners are apprehending their arrest in a
case registered under Sections 448, 341, 323, 324, 307 and
379 of the Indian Penal Code.

Considering the counter-version of the occurrence
and the fair antecedents of the Petitioners, let them 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 the order on furnishing
bail bonds of Rs. 5,000/- (Five Thousand) each with two
sureties of the like amount each or any other surety as fixed
by the Court to the satisfaction of Sub-divisional Judicial
Magistrate, East Champaran at Motihari in connection with
Rajepur P.S. Case No. 82 of 2015 subject to the conditions as

laid down under Section 438(2) of the Code of Criminal Procedure as also subject to the following 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 bailor will also undertake to inform the Court if there is any change in the address of the Petitioners. (ii) That the affidavit shall clearly state that the Petitioners are not 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 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 delays 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 and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

Vikash/-

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(Anjana Prakash, J.)