

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35415 of 2014

Arising Out of PS.Case No. -165 Year- 2013 Thana -BASOPATTI District- MADHUBANI

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1.Ram Bilash Sah son of Late Doman Sah
2.Bindeshwer Sah son of Late Doman Sah,
3.Ashok Sah son of late Doman Sah.
4.Parshuram Sah son of Bilat Sah.
5.Ram Sagar Sah son of Bilat Sah.
6.Binod Sah son of Ramendra Sah.
7.Gon Raut son of Batohi Rout,
8.Prakash Mandal son of Lochan Mandal,
Resident of village-Poltti, P.S. Basopatti, District Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 11-02-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offences punishable under Sections-147/149/341/323/504/506 of the Indian Penal Code and Section-3(x) SC.ST. Act and that there appears to be some sort of land dispute between the parties, these petitioners having no criminal antecedent in view of lack of any specific allegations against them would be entitled for grant of privilege of anticipatory bail.

That being so, this Court would direct that if the



petitioners, namely, Ram Bilash Sah, Bindeshwer Sah, Ashok Sah, Parshuram Sah, Ram Sagar Sah, Binod Sah, Gon Raut and Prakash Mandal surrender within a period of four weeks from today, would be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Madhubani** in connection with **Basopatti P.S. Case No. 165 of 2013** subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That both the bailors will be close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is 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 the 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.

(iv) That the petitioners will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Ranjan/-

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