

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38075 of 2014

Arising Out of PS.Case No. -40 Year- 2013 Thana -NAUHATTA District- SAHARSA

=====

1. Suraj Kumar Son of Sushil Singh
2. Shivam Kumar Singh Son of Sushil Singh
3. Ranjan Singh Son of Sita Ram Singh
4. Sushil Singh Son of Late Mukum Singh All resident of village - Gopipur,
P.S. - Nawhatta, District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

For the Petitioner: Mr. Sanjay Kumar Singh, Adv

For the Respondents: Mr. Rajendra Singh Shastri, APP

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 20-03-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offences punishable under Sections-323, 341, 504 and 448 of the Indian Penal Code and Section-3(i) (x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and that there is no injury report as with regard to the alleged assault, this Court for the time being will have to accept the defence of the petitioners that such prosecution case was on account of ongoing earlier dispute between the parties which has clearly been asserted in paragraph no.

7 of the bail application.



That being so, this court would direct that if the petitioners namely, **Suraj Kumar, Shivam Kumar Singh, Ranjan Singh and Sushil Singh** surrenders within a period of four weeks from today, they would be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Saharsa** in connection with **Nawhatta P.S. Case No. 40 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 petitioners. 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 their 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/-

U			
---	--	--	--