

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21337 of 2015

Arising Out of PS.Case No. -45 Year- 2014 Thana -SC/ST District- MADHUBANI

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1. Bauan Mahto Son of Late Faudar Mahto
2. Narendra Kumar Singh Son of Bauan Mahto Both residents of Village -
Khajuri, P.S. - Babubarhi, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 19-08-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offences punishable under Sections-341, 323, 354(B), 504 and 34 of the Indian Penal Code and Section-3(i) (x) of the S.C and S.T. Act and the fact that the FIR is delayed by a period of ten days as well as there is counter version, wherein petitioner no. 2 has also sustained injury as found by the Doctor in his injury report, this Court would direct that if the petitioners namely, **Bauan Mahto and Narendra Kumar Singh**, surrender within a period of four weeks



from today, they would be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of **A.C.J.M., Madhubani** in connection with **S.C/S.T. P.S. Case No. 45 of 2014**, 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.

(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 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)

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