

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24657 of 2015

Arising Out of PS.Case No. -79 Year- 2014 Thana -KORANSARAI District- BUXAR

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1. Ranjan Kumar @ Ranjan S/o Ram Layak Paswan
 2. Umesh Kumar @ Umesh Sah S/o Sitam Sah
 3. Ramesh Kumar @ Ramesh Sah S/o Sitam Sah
 4. Radheshyam Sah S/o Late Triveni Sah
 5. Mithu Kumar @ Mithu S/o Ram Layak Paswan
 6. Lal Babu @ Lal Babu Sah S/o Hareram
 7. Munna Kumar Sah @ Munna Sah S/o Hareram
 8. Ashok Kumar Bharati @ Ashok S/o Ram Layak Paswan
 9. Dinesh Kumar @ Dinesh Sah S/o Sitam Sah
 10. Triloki Sah S/o Shyam Bihari Sah
 11. Rakesh Kumar @ Rakesh Sah S/o Sitam Sah
 12. Lalpari Devi W/o Shyam Bihari

All are residents of Village - Koransarai, P.S. - Koransarai, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Adv

For the Opposite Party/s : Mr. Ram Chandra Singh(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 24-08-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offences punishable under Sections-147, 148, 341, 323, 504, 307, 120B, 506 and 302 of the Indian Penal Code, and the fact that there is no allegation of any specific overt act against the petitioners and in fact the police had also submitted final form against them, whereafter the learned Magistrate



having differed with the police report had taken cognizance, this Court taking into account that all the petitioners have also claimed to have got no criminal antecedent would be inclined to grant them the privilege of anticipatory bail.

That being so, if the petitioners namely, **Ranjan Kumar @ Ranjan, Umesh Kumar @ Umesh Sah, Ramesh Kumar @ Ramesh Sah, Radheshyam Sah, Mithu Kumar @ Mithu, Lal Babu @ Lal Babu Sah, Munna Kumar Sah @ Munna Sah, Ashok Kumar Bharati @ Ashok, Dinesh Kumar @ Dinesh Sah, Triloki Sah, Rakesh Kumar @ Rakesh Sah, Lalpari Devi**, 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 **Chief Judicial Magistrate, Buxar** in connection with **Koransarai P.S. Case No. 79 of 2014**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and

also subject to the following conditions:-

(i) That the court below shall make verification of criminal antecedent of the petitioners and if it is found that they are accused in any other criminal case, they shall not be granted bail and would be taken into custody.

(ii) 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.

(iv) 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.

(v) 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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