

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1402 of 2015

Arising Out of PS.Case No. -343 Year- 2014 Thana -WAJIRGANJ District- GAYA

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1. Mejar Khan son of Gaffur Khan
2. Mahfooz Khan @ Mahfooz Alam son of Izhar Khan Both resident of
Village - Chainbiga, P.S. - Wazirganj, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Kamaluddin, Advocate
For the Opposite Party/s : Mr. P.N.Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 16-01-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 149, 323, 504, 506 of the Indian Penal Code and 3(i)(x) of the SC & ST (Prevention of Atrocities) Act.

Considering that there is a counter version of the occurrence and the nature of allegations as also the fair antecedents of the Petitioners, let the petitioners above named 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 this order in connection with Wazirganj P.S. case No.343 of 2014 on furnishing bail bonds of Rs.5,000/- (five thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya, subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also conditions (i) That one of the bailor 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 undertake to furnish information to the Court about any change in address of the petitioners, (ii) That the affidavit shall clearly state that the petitioners are not an 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 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 delay 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 if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Anjana Prakash, J)

Narendra/-

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