

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10792 of 2015

Arising Out of PS.Case No. -58 Year- 2014 Thana -CHANDRAMANDI District- JAMUI

- =====
1. Shivan Rai Son of Anandi Rai
 2. Narayan Modi Son of Late Bimal Modi
 3. Janak Modi Son of Narayan Modi
 4. Dabloo Modi Son of Narayan Modi
 5. Niranjana Modi son of Dilas Modi, All resident of Village - Dhamaniya, P.S. Chandramandih, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr. R.B.Rai Raman, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

4 25-05-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 149, 341, 448, 323, 325, 307 and 504 of the Indian Penal Code.

Considering the nature of allegations and the background of the dispute as also the fair antecedents of the Petitioners No.2, 3, 4 and 5, let the petitioners No.2, 3, 4 and 5 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 Chandramandih P.S. case No.58 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 Sri R. Narayan, Judicial Magistrate, 1st class, Jamui, 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.

As for Petitioner No.1, in view of his antecedents, I am not inclined to extend the privilege of anticipatory bail to the petitioner No.1.

His prayer for anticipatory bail.

The Petitioner No.1 is directed to surrender in the court below, failing which the court below shall take stringent steps for ensuring arrest of the Petitioner No.1.

(Anjana Prakash, J)

Narendra/-

U		T	
---	--	---	--