

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10844 of 2015

Arising Out of PS.Case No. -45 Year- 2014 Thana -DHAMDAHA District- PURNIA

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1. Kritya Nand Mandal Son of Late Kiro Mandal
 2. Jwala Mandal Son of Kritya Nand Mandal
 3. Pinki Devi wife of Jwala Mandal, all are resident of Village Chhoti Ithari, Police Station : Dhamdaha, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Md.Arif, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 25-05-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered under Sections 302 and 201/34 of the Indian Penal Code.

Considering that it is a case under Section 302 I.P.C. and not under Section 304B I.P.C. which would entitle the prosecution to raise a presumption against the Petitioners and there is no direct material against 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 Dhamdaha P.S. case No.45 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, Purnea, 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 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, (iii) 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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