

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16283 of 2015

Arising Out of PS.Case No. -246 Year- 2013 Thana -KHODWANPUR District- BEGUSARAI

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1. Hare Krishna Yadav, S/o Late Ramjee Yadav
 2. Arvind Yadav
 3. Ram Balak Yadav
 4. Indradeo Yadav
 5. Ram Chandra Yadav
 6. Ram Sevak Yadav
- All five S/o Hare Krishna Yadav
All Resident of Village Ekamba, P.S. Khodwandpur, District Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rai Mukesh Sharma, Adv.

For the Opposite Party/s : Mr. Sadanand Paswan, (Spl. App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 28-05-2015 Heard learned counsel for the Petitioners and the

State.

The Petitioners seek anticipatory bail in a case

instituted for the offence under Sections 147, 341, 323, 504, 324,

506, 379, 354 of the Indian Penal Code, Sections 3(i) (x) of the

SC/ST Act.

In view of the antecedents of the Petitioners No. 1 and

2, I am not inclined to extend the privilege of anticipatory bail to

them in connection with Khodwandpur P.S. Case No. 246 of 2013

pending before Sri R.K. Dwivedi, Judicial Magistrate, 1st Class,

Begusarai.

The prayer for anticipatory bail of Petitioners No. 1 and 2 is rejected.

As for rest of the Petitioners, i.e. Petitioners No. 3, 4, 5 and 6, in view of the nature of allegation and their fair antecedents, let the Petitioners in the event of surrender, named above, within four weeks from the date of receipt of this order, in connection with Khodwandpur P.S. Case No. 246 of 2013, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (Five thousand) each with two sureties of the like amount each or any other surety to be fixed by the Court concerned to the satisfaction of Sri R.K. Dwivedi, Judicial Magistrate, 1st Class, Begusarai, subject to the following conditions: (i) That one of the bailors 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 also undertake to inform the Court if there is any change in the address of the petitioners. (ii) That the affidavit shall clearly state that the petitioners are not 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 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 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 and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

S.Ali/-

(Anjana Prakash, J)

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