

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.96 of 2015

Arising Out of PS.Case No. -240 Year- 2014 Thana -SULTANGANJ District- BHAGALPUR

- =====
1. Anil Modi, son of Laxmi Modi
 2. Golu Modi @ Santosh Modi, son of Anil Modi
- Both resident of village Mirjagoan, Moditola, P.S. Sultanganj, Distt. Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Adv.

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 08-01-2015 Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in a case instituted for the offence under Section(s) 304/34 Indian Penal Code and Section 3(2)(v) of the SC/ST Act.

Considering the nature of allegation against the Petitioners, it is ordered that in the event of surrender/arrest of the Petitioners, named above, within four weeks from the date of receipt/production of a copy of this order, in connection with Sultanganj P.S. Case No. 240 of 2014, G.R. No. 3926 of 2014, shall 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 below to the satisfaction of Additional Chief Judicial Magistrate, Bhagalpur, subject to the conditions as laid down under Section

438(2) Cr. P.C. and (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.

(Anjana Prakash, J)

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