

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39579 of 2014

Arising Out of PS.Case No. -96 Year- 2014 Thana -AMARPUR District- BANKA

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1. Devendra Singh S/o Sri Surya Narayan Singh
2. Sandeep Singh S/o Sri Surya Narayan Singh
3. Upendra Singh @ Upendra Prasad S/o Late Kamli Mandal
4. Surendra Singh S/o Chedi Mandal
5. Fuchwa @ Awadh Kishore Singh S/o Rajendra Singh All Resident of
Village - Kulhariya, P.S. - Amarpur, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 16-04-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offences punishable under Sections-147, 148, 149, 323, 379 and 504 of the Indian Penal Code, this Court by taking into account that the petitioner nos. 1 and 2 have criminal antecedent would not be inclined to grant the privilege of anticipatory bail to them.

The petitioner nos. 3, 4 and 5, however, have no criminal antecedent and therefore, for the time being, this Court taking into account the possibility of a dispute in the construction of Anganbari Centre, would find them entitled for grant of privilege of anticipatory bail.



That being so, if the **petitioner no. 3, Upendra Singh @ Upendra Prasad, petitioner no. 4, Surendra Singh and petitioner no. 5, Fuchwa @ Awadh Kishore Singh**, surrender within a period of four weeks from today, would be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Banka** in connection with **Amarpur P.S. Case No. 96 of 2014** subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That both the bailors will be close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the bailors shall also state on affidavit that they 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 their bail on the ground of misuse.

(iii) That the petitioners will give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do so on two given dates and delays the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioners will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

Ranjan/-
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(Mihir Kumar Jha, J)