

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46075 of 2015**

Arising Out of PS.Case No. -64 Year- 2013 Thana -MADHEPURA District- MADHEPURA

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1. Md. Hafiz @ Nunu S/o Md. Nasir  
2. Md. Mehiuddin, S/o Md. Jumman Mian  
Both are residents of Village- Chainpur, P.S.- Sri Nagar, District-  
Madhepura

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bam Bahadur Jha, Adv

For the Opposite Party/s : Mr. M.Dayal(APP)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

2      04-11-2015      Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for the offences punishable under Sections- 307, 323, 324, 341/34 of the Indian Penal Code and the fact that there is only omnibus allegation against the petitioners and that co-accused Dharmendra Mandal has already been granted bail by a co-ordinate bench of this Court on 27.07.2015 in Criminal Miscellaneous No. 29163 of 2015, as also that the petitioners are having no criminal antecedent, this Court would be inclined to grant the privilege of anticipatory bail to the petitioners.



That being so, if the **petitioner no. 1, namely, Md. Hafiz @ Nunu** and **petitioner no. 2, Md. Mehiuddin**, surrender within a period of four weeks from today, they 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, Madhepura** in connection with **Madhepura P.S. Case No. 64 of 2013**, 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)**