

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46246 of 2015

Arising Out of PS.Case No. -204 Year- 2015 Thana -SAHEBGANJ District- MUZAFFARPUR

- =====
1. Braj Kishore Singh @ Brij Kishore Singh, S/o Late Nand Lal Singh,
 2. Ranjan Singh, son of Braj Kishore Singh @ Brij Kishore Singh, Both resident of village- Paharpur Ahlad, P.S. Sahebganj, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 02-11-2015

Counter Affidavit filed on behalf of the Informant

be kept on record.

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in a case instituted for the offence under Section(s) 302, 201 Indian Penal Code.

Considering that the Petitioner No.1, Braj Kishore Singh @ Brij Kishore Singh, has criminal antecedents and according to the Informant, he has not yet surrendered in one case of the year 2009, I am not inclined to extend the privilege of anticipatory bail to him.

Prayer for anticipatory bail of Petitioner No.1 is

rejected.

However, considering the fair antecedents of the Petitioner No.2 and the fact that he is a student, it is ordered that in the event of surrender/arrest of the Petitioner No.2 (Ranjan Singh) within four weeks from the date of receipt/production of a copy of this order in connection with Sahebganj P.S. Case No.204 of 2015, he shall be released on anticipatory bail on furnishing bail bond of ₹5,000/- (five thousand) with two sureties of the like amount each or any other surety to be fixed by the court below to the satisfaction of the Sub-Divisional Judicial Magistrate, West, Muzaffarpur, 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 Petitioner, who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailors will undertake to furnish information to the court about any change in the address of the Petitioner, (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and, if he is, he shall not be released on bail, (iii) That the bailors shall also state on affidavit that they will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his 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 Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse, and (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

JA/-

(Anjana Prakash, J)

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