

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45987 of 2015

Arising Out of PS.Case No. -44 Year- 2015 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

- =====
1. Anil Mahto S/O- Surendra Mahto, Resident of village- Chhaukiya, P.S.- Ganga Bridge, Dist.- Vaishali
 2. Ajit Mahto, S/o Narayan Mahto, Resident of village- Terasiya, P.S. Ganga Bridge, Dist.- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr. Shailendra Kumar-II(APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 03-11-2015 Having regard to the nature of allegation against the petitioners for the offences punishable under Sections-201, 302, and 34 of the Indian Penal Code and the fact that the informant claims that his father went on missing from 30.04.2015, when these two petitioners allegedly had taken him away and that he did not lodge any FIR till recovery of dead body on 23.05.2015, and in fact the present FIR was lodged against the petitioners on 24.05.2015, this Court by taking into account that the petitioners have also got no criminal antecedent, would direct that if the petitioners namely, **Anil Mahto and**



Ajit Mahto 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 **C.J.M. Vaishali at Hajipur** in connection with **Raghopur P.S. Case No. 44 of 2015**, 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.

(Mihir Kumar Jha, J)

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