

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48445 of 2015

Arising Out of PS.Case No. -1422 Year- 2008 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

- =====
1. Nand Kumar @ Nand Kishore Prasad @ Babua,
 2. Jitendra Kumar, both Son of Kameshwar Prasad, resident of village -
Karigai, P.S. - Belaon, District - Kaimur (Bhabhua), At present R/o
village - Kharari, P.S. - Nokha, District - Rohtas (Sasaram)

.... Petitioner/s

Versus

1. The State of Bihar.
2. Maheshwari Devi, wife of Nagina Chandrabanshi, resident of village -
Kenar Kala, P.S. - Chenari District - Rohtas (Sasaram)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate

For the Opposite Party/s : Mr. Ganesh Pd. Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2/ 16-10-2015

Heard learned counsel for the Petitioners and the
State.

The Petitioners apprehend their arrest in a case
instituted for the offence under Section(s) 147, 380, 384, 504
Indian Penal Code.

Considering that the Petitioners are the witnesses in
the earlier Complaint filed by the daughter-in-law of the
Complainant against them, 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 Complaint Case No.1422 of 2008, they shall be
released on anticipatory bail on furnishing bail bond of ₹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 the Judicial Magistrate, 1st class, Rohtas at Sasaram, 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 bailors will undertake to furnish information to the court about 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 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 bail on the ground of misuse, (iv) 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.

JA/-

(Anjana Prakash, J)

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