

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49809 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -SIDHWALIA District- GOPALGANJ

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1. Abhai Singh Son of Late Banka Singh
2. Akhilesh Singh @ Akhilesh Kumar Singh Son of Janakdhari Singh
3. Ranjeet Singh Son of Narendra Singh All resident of Village - Sher Tola
Chandparna, P.S. - Sidhwalia, District - Gopalganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Singh

For the Opposite Party/s : Mrs. Indu Kri.Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 05-11-2015 Learned counsel for the petitioner prays for and is allowed

to make necessary correction in paragraph no.1 incorporating

section 307 of the Indian Penal Code.

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under

sections 307 and other allied offences including 341, 323, 504,

385, 379/34 of the Indian Penal Code this Court on finding that

there was a free fight on account of arrival of a Barat party and the

music programme going therein in which injuries were on both the

sides and that there is also nothing specific with regard to assault

by the petitioners, this Court keeping in view that none of the

petitioners have also any criminal antecedent would be inclined to

grant privilege of anticipatory bail.



That being so, if the petitioners, namely, 1. Abhai Singh, 2. Akhilesh Singh @ Akhilesh Kumar Singh and 3. Ranjeet Singh, surrender before the court below within a period of four weeks from today, they shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in Sidhwalia P.S. Case No. 52/2015, subject to the following conditions:

(i) That the court below shall make verification of criminal antecedent of the petitioners and if it is found that they are accused in any other criminal case, they shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be a 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.

(iii) That the bailor shall also state on affidavit that he 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 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 delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(v) 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)

surendra/-

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