

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41839 of 2014

Arising Out of PS.Case No. -33 Year- 2014 Thana -BARAHIYA District- LAKHISARAI

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Brijnandan Yadav @ Vidhayak Son of Rajendra Yadav Resident of
Saidpur, P.S.- Salimpur, District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.44275 of 2014

Arising Out of PS.Case No. -33 Year- 2014 Thana -BARAHIYA District- LAKHISARAI

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Santu Mahto @ Sintu Mahto Son of Prakash Mahto Village Nimi, P.s. -
Danyama, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.41839 of 2014)

For the Petitioner/s : Mr. Akhileshwar Singh

For the Opposite Party/s : Mr. Rita Verma(App)

(In Cr.Misc. No.44275 of 2014)

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Murlidhar (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

3 21-01-2015 Heard learned counsel for the parties in both these cases.

Having regard to the fact that both the petitioners are facing prosecution for offence under sections 364/394 of the Indian Penal Code and that they are named only on the basis of confession of one Sanjeet Kumar Singh, a co-accused, apprehended at the spot and that the said Sanjeet Kumar Singh has already been granted bail by the court below by an order dated



28.10.2014 in Bail Petition No. 83/2014, this Court would also grant bail to both the petitioners, namely, Brijnandan Yadav @ Vidhayak and Santu Mahto @ Sintu Mahto, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Lakhisarai in Barahia P.S.Case No. 33/2014, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the bailor shall also state on affidavit that he 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.

(iii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the 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.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

surendra/-

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