

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46287 of 2014

Arising Out of PS.Case No. -28 Year- 2014 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Prem Kumar
2. Banti Kumar @ Parushottam Kumar
Both sons of Sri Kailash Prasad, resident of Mohalla - Pulpar
Alamganj, P.O. and P.S. - Bihar Sharif, Dist.-Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birju Prasad, Adv.

For the Opposite Party/s : Mr. Dilip Kumar(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 16-01-2015 This case has been taken up for out of turn hearing on

the submission of the Petitioners that their father is unwell and

admitted in Mahabir Arogya Sansthan, Patna.

Heard learned Counsel for the Petitioners and the State.

The Petitioners seek bail in a case instituted for the

offence under Sections 406 and 420 of the Indian Penal Code.

Considering the nature of allegation against the

Petitioners, let the Petitioners above named, be released on bail on
furnishing bail bond of Rs.5,000/-(Five thousand) each with two
sureties of the like amount each or any other surety to be fixed by the
court concerned to the satisfaction of Chief Judicial Magistrate,
Nalanda at Bihar Sharif, Distt. Nalanda in connection with Bihar P.S.
Case No. 28 of 2014, subject to the following conditions: (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 bailor will also undertake to inform the Court if there is 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 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 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 date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

S.Ali/-

(Anjana Prakash, J)

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