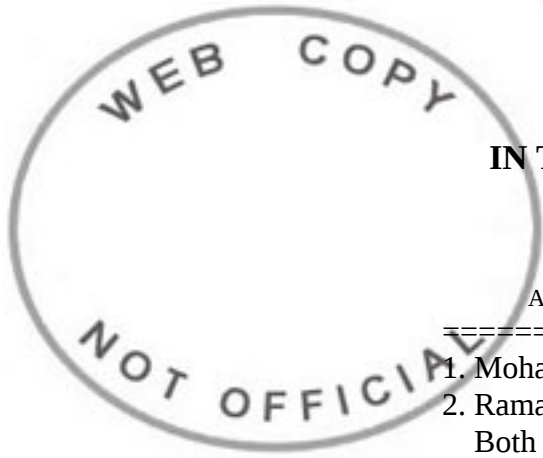




IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8880 of 2015

Arising Out of PS.Case No. -36 Year- 2014 Thana -BHORE District- GOPALGANJ

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1. Mohan Kamkar Son of Late Etwari Kamkar
2. Ramawati Devi wife of Mohan Kamkar
Both residents of Village - Nayagaon Sisai, P.S. - Bhorey, District -
Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Naresh Dikshit

For the Opposite Party/s : Mr. Sanjay Kumar Sharma (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 03-03-2015 Heard learned counsel for the Petitioners and the

State.

The Petitioners seek bail in a case instituted for the
offence under Sections 341, 323, 307, 504/34 and later on Section
302 of the Indian Penal Code.

Considering that there is a counter version of the
occurrence and the genesis of the occurrence is the same, let the
Petitioners, above named, who have fair antecedent, be released
on 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 learned C.J.M., Gopalganj in connection with Bhorey P.S.Case No. 36/2014 subject to the 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 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 an 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 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, and

- (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.

(Anjana Prakash, J)

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