

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3336 of 2015

Arising Out of PS.Case No. -228 Year- 2014 Thana -VAISHALI District- VAISHALI(HAJIPUR)

- 1. Jitendra Kumar
- 2. Om Prakash Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam
For the Opposite Party/s : Mr. Mustaque Alam(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 27-01-2015 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case instituted for the offence under sections 302/34 of the Indian Penal Code.

Considering that there is no eye witness to the actual murder and the petitioners have fair antecedents, let the petitioners Jitendra Kumar and Om Prakash 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 below to the satisfaction of learned Chief Judicial; Magistrate, Hazipur at Vaishali in connection with Vaishali P.S.Case No. 228 of 2014 subject to the conditions (i) That one of the bailors will be close relative of the petitioner, 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 his release in the present case and thereafter the court below will be at liberty to initiate the proceeding the 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 delays the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, and iv) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Anjana Prakash, J)

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