

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47100 of 2014

Arising Out of PS.Case No. -9 Year- 2014 Thana -MALI District- AURANGABAD

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1. Bindeshwari Singh son of Late Rekha Singh

2. Nagendra Singh

3. Rakesh Singh

Both are sons of Bindeshwari Singh.

All are residents of village - Koni, P.O. Jai Hind Tendua, P.S. Mali, District - Aurangabad (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

2. Narayan Pd. Singh Deo S/o Samarendra Nath Singh Deo R/o village - Bag Mundi, P.S. Bag Mundi, District - Purulia (West Bengal)

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 30-04-2015 Heard learned counsel for the parties as with regard to the grant of privilege of anticipatory bail to the three petitioners for the offences punishable under Sections-498, 304(B) and 120B/34 of the Indian Penal Code.

Mrs. Asha Verma, learned counsel appearing on behalf of the petitioners has produced a copy of the final form, wherein, on 14.12.2014 the police while submitting the final form has found no materials against the petitioners.

That being so, if the criminal case against the



petitioners is still pending awaiting acceptance of final form, the petitioners namely, **Bindeshwari Singh, Nagendra Singh and Rakesh Singh**, may surrender within a period of four weeks from today and if they do so, they would be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Aurangabad** in connection with **Mali P.S. Case No. 09 of 2014** subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That both the bailors will be 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.

(ii) 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 their bail on the ground of misuse.

(iii) 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 delays the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(iv) 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)

Ranjan/-

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