

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10766 of 2015

Arising Out of PS.Case No. -195 Year- 2014 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

- =====
1. Gopal Sharma s/o Late Jiut Sharma
 2. Mukesh Sharma S/o Pheku Sharma Both Resident of Village Asurha, P.S. Durgawati, District Kaimur at Bhabua.
 3. Ram Narayan Kushwaha S/o Late Dukhi Kushwaha Resident of Village Nuaon, P.S. Durgawati, District Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray, Advocate
For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 25-05-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

Considering that there is no eye witness to the actual occurrence and the Petitioners have fair antecedents, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of four weeks from the date of receipt of this order in connection with Durgawati P.S. case No.195 of 2014 on furnishing bail bonds of Rs.5,000/- (five thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Kaimur at Bhabua, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also

conditions (i) That one of the bailor 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 undertake to furnish information to the Court about any change in 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 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 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 if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Anjana Prakash, J)

Narendra/-

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