

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18074 of 2015

Arising Out of PS.Case No. -127 Year- 2014 Thana -SIMRI District- BUXAR

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Rama Bind son of Late Saraju Bind resident of village Sariyaon, P.S.-
Durgawati, District Kaimur at Bhabua

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.20951 of 2015

Arising Out of PS.Case No. -127 Year- 2014 Thana -SIMRI District- BUXAR

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Narendra Pratap Singh. Son of Late Markandey Singh. Resident of village -
Rupin, P.S.- Chainpur, District - Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.18074 of 2015)

For the Petitioner/s : Mr. Rajesh Kumar Singh, Adv with Mr.
Tribhuwan Narayan, Adv
For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

(In Cr.Misc. No.20951 of 2015)

For the Petitioner/s : Mr. Rajesh Kumar Singh, Adv with Mr.
Tribhuwan Narayan, Adv
For the Opposite Party/s : Mr. Pranav Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 17-08-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against
the petitioners for the offences punishable under
Sections-465, 467, 468, 471, 474 and 120B of the Indian



Penal Code and the admitted position that while the petitioner Rama Bind was merely witness of the alleged power of attorney, the petitioner Narendra Pratap Singh (Criminal Miscellaneous No. 20951 of 2015) in whose favour the power of attorney was executed had appeared in a case for contesting the suit on behalf of Swami Triyoganand Maharaj, this Court would not find them to have at least done something which would disentitled both of them from the privilege of anticipatory bail, specially when the dispute only relates to execution of power of attorney.

That being so, if the petitioners namely, **Rama Bind (Criminal Miscellaneous No. 18074 of 2015) and Narendra Pratap Singh (Criminal Miscellaneous No. 20951 of 2015)**, surrender within a period of four weeks from today, 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, Kaimur at Bhabhua** in



connection with **Simari P.S. Case No. 127 of 2014 (G.R. No. 1806/2014)**, 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)

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