

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18612 of 2015

Arising Out of PS.Case No. -101 Year- 2014 Thana -RAJAULI District- NAWADA

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1. Ghanshyam Prasad .
2. Rambalak Prasad @ Ram Balak Pd. Yadav.
3. Rajendra Prasad Yadav
All sons of Late Bundi Yadav and resident of village- Kumharbigha, PS-
Akbarpur, District- Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kr Sinha No.2
For the Opposite Party/s : Mr. Sanjay Kr.Panday(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 15-06-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Section 420, 468, 406, 323, 504/120B of the Indian Penal Code and the admitted position that it is a case of civil dispute relating to sale of land wherein the father and the son are said to be involved in some sort of its disputed possession, this Court would be inclined to grant privilege of anticipatory bail to the petitioners specially when they have got no criminal antecedent.

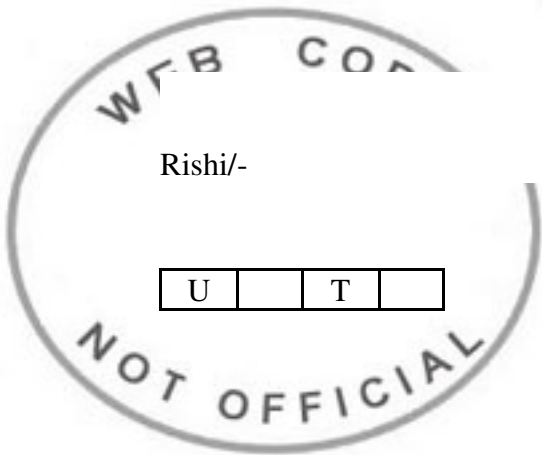
That being so, if the petitioners, namely, Ghanshyam Prasad, Rambalak Prasad @ Ram Balak Pd. Yadav and Rajendra Prasad Yadav surrender before the court below within a period of four weeks from today, they shall be released on bail on



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, Nawada in connection with Rajauli P.S. Case No. 101 of 2014 (G.R. No. 1487 of 2014), subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-

- (i) That both the bailors will be a close relative of the petitioners, who will undertake 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 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 be well represented on each and every date in course 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.



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(Mihir Kumar Jha, J)