

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16330 of 2015

Arising Out of PS.Case No. -169 Year- 2014 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Prakash Chandra S/o Late Sheosharan Kumar Prasad
2. Musmat Sabitri Devi W/o Late Sheosharan Kumar Prasad
Both are residents of village Laxmipur P.S. Raxaul, District East
Champaran. Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Adv.
For the Opposite Party/s : Mr. R.B. Roy Raman, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 28-05-2015 Heard learned counsel for the Petitioners and learned
A.P.P. for the State.

The Petitioners are apprehending their arrest in a case
registered under Sections 406 and 420/34 of the Indian Penal
Code, 1860.

Considering the nature of allegations and the fair
antecedents of the Petitioners, 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 Ruxaul P.S.
Case No. 169 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 learned Sub Divisional Judicial Magistrate, Raxaul
at Motihari, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure as also conditions (a)

That one of the bailor will be a close relative of the Petitioners who will give an affidavit giving genealogy as to how they are related with the Petitioners. The bailor will undertake to furnish information to the Court about any change in address of the Petitioners. (b) That the affidavit shall clearly state that the Petitioners are not the accused in any other case and if they are they shall not be released on bail, (c) 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 (d) 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, (e) That the Petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Anjana Prakash, J.)

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