

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36406 of 2014

Arising Out of PS.Case No. -20 Year- 2013 Thana -SAHEBGANJ District- MUZAFFARPUR

- =====
1. Subhash Gupta @ Chandan @ Sushant @ Sushant Savant, son of Devendra Gupta, resident of village - Jahanabad, P.S.- Lalganj, District - Vaishali.
 2. Rambalak Paswan @ Dhiraj Jee @ Rajat Jee, son of Yogendra Paswan, resident of village - Tariyani, P.S. - Tariyani, District - Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Pd., APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

5/ 29-01-2015

Heard learned counsel for the Petitioners and the State.

The Petitioners seek bail in a case instituted for the offence under Section(s) 302/34 Indian Penal Code.

Considering that apart from the confessional statement of the co-accused there is no further material against the Petitioners, let them be released on bail on furnishing bail bond of ₹5,000/-(Five Thousand) each with two sureties of the like amount each or any other surety to be fixed by the Court below to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur, in connection with Sahebganj P.S. Case No.20 of 2013, subject to the conditions:

- 
- (i) That one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to how he is related with the petitioners and another bailor shall be father/brother/mother/sister of the Petitioners. The bailors will undertake to furnish information to the court about 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 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 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, and
 - (iv) 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.

In view of the criminal antecedents of the petitioners, the petitioners are directed to appear before the Sr. Superintendent of Police, Muzaffarpur, within fifteen days of their release with a

copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioners will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the court concerned.

(Anjana Prakash, J)

JA/-

U		T	
---	--	---	--