

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36940 of 2014

Arising Out of PS.Case No. -12 Year- 2014 Thana -KATORIA District- BANKA

1. Suchit Sharma Son of Late Prasadi Sharma

2. Guddu Sharma Son of Suchit Sharma

Both are residents of village - Bhaluwa, P.S. - Katoria, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Amrendra Prasad (App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 09-04-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for offence under Sections 302/201 of the Indian Penal Code and that there is no specific allegation against the petitioners, save and except, suspicion of the informant as also the fact that the petitioners have got no criminal antecedent, this Court would direct that if the petitioners, namely, **Suchit Sharma and Guddu Sharma** 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/- each with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Katoria P.S. Case No. 12 of 2014, subject to the following conditions:

(i) That both the bailors will be close family relatives 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 addresses of the petitioners.

(ii) That the affidavit shall clearly state that the petitioners are not 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 their 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.

(Mihir Kumar Jha, J)

Sujit/-

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