

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36344 of 2014

Arising Out of PS.Case No. -271 Year- 2014 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

- =====
1. Sudhir Kumar @ Sudhir Kumar Singh
 2. Sameer Kumar @ Sameer Kumar Singh
- Both are S/o Late Satya Narayan Singh Resident of Village
Bhikhanpura, P.S. Sadar, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ved Prakash S/o Vishnu Deo Prasad Singh Resident of Teacher Hostel
No. 3, Flat No. 49, P.S. Katra, District Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Adv.

For the Opposite Party/s : Mr. P.K.Chaurasia(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 20-02-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioners face prosecution for offence under Section 420, 406, 380, 384 and 34 of the I.P.C. and that whatever allegation has been made is out and out a dispute between the landlord and tenant, this Court, keeping in view that the petitioners have also got no criminal antecedent, would direct that if the petitioners, namely, Sudhir Kumar @ Sudhir Kumar Singh and Sameer Kumar @ Sameer Kumar Singh surrender before the court below within a period of four weeks from today, the court below shall grant bail to the petitioners on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur in connection with Sadar P.S. Case No. 271 of 2014, subject to the

conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to the following conditions namely:-

- (i) That both the bailors will be a close relative of the petitioner, 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)