

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38679 of 2014

Arising Out of PS.Case No. -157 Year- 2014 Thana -MOHANIA District- BHABHUA (KAIMUR)

Chandrama Singh son of Late Jagradeo Singh Resident of Village -
Basantpur, Police Station - Mohania, District - Kaimur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

with

Criminal Miscellaneous No.39868 of 2014

Arising Out of PS.Case No. -157 Year- 2014 Thana -MOHANIA District- BHABHUA (KAIMUR)

Bansh Narayan Singh @ Bnash Narayan Singh

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.38679 of 2014)

For the Petitioner/s : Mr. Rahul Nath

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

(In Cr.Misc. No.39868 of 2014)

For the Petitioner/s : Mr. Rahul Nath

For the Opposite Party/s : Mr. Iftekhar Mahmood(App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 13-03-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against both the petitioners for offences under sections 504, 341, 323, 324, 307/34 of the Indian Penal Code and section 27 of the Arms Act and the fact that the injury as alleged has also been substantiated and such injury is on the head of the injured person as well as both the petitioners have got criminal antecedent, this Court does not find either of them to be entitled for grant of anticipatory bail but then



what would weigh at least in favour of the petitioner Chandrama Singh is that he is admittedly aged above 80 years and therefore, while rejecting the prayer for anticipatory bail of the petitioner Bansh Narayan Singh @ Bnash Narayan Singh, this Court would direct that if the petitioner, Chandrama Singh, surrenders in the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs.10,000/- (the thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua in Mohania P.S.Case No. 157/2014, subject to the following conditions:

(i) That both the bailors 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 bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) 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 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 the 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.

(iv) That the petitioners will be well represented on each and every date 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.

surendra/-

(Mihir Kumar Jha, J)

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