

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18582 of 2015

Arising out of PS.Case No. -334 Year- 2014 Thana -KARAHGAR District- SASARAM (ROHTAS)

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1. Shankar Sah son of Dwarika Singh
2. Manohar Sah
3. Pankaj Sah
4. Rakesh Sah
All sons of Shankar Sah
All residents of Village : Babhani, P.S.: Kargahar, District: Rohtas.
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray, Advocate.

For the Opposite Party/s: Mr. Ram Shankar Das (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 15-06-2015 Learned counsel for the petitioners prays for and is
allowed to make necessary correction in the name of petitioner no.
2.

Having regard to the nature of allegation for offence
under Sections 147, 148, 149, 427, 504, 379 and 435 of the Indian
Penal Code and Section 3(i)(x) of the SC/ST (Prevention of
Atrocities) Act against the petitioner nos. 2 to 4 and that the co-
accused Kunjan Prasad, Aman Prasad, Ramjee Sah, Janardan Sah
and Rejendra Sah having identical allegation have been granted
anticipatory bail by an order dated 26.03.2015 in Cr. Misc. No.
12719 of 2015 , this Court having also found that the petitioner
nos. 2 to 4 also have got no criminal antecedent, in order to

maintain parity, would grant privilege of anticipatory bail to the petitioner nos. 2, 3 and 4 namely, Manohar Sah, Pankaj Sah and Rakesh Sah respectively .

That being so, if the petitioner nos. 2, 3 and 4 namely, Manohar Sah, Pankaj Sah and Rakesh Sah respectively 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 each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Kargahar P.S.Case No. 334 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.

The prayer for anticipatory bail of petitioner no. 1 Shankar Sah, however, is rejected as he is said to have committed specific overt act of firing at the informant and his wife and also putting the shop of the informant on fire. He must surrender and make a prayer for regular bail which shall be decided on its own merit without being prejudiced in any manner by anything said in this order.

(Mihir Kumar Jha, J)

Sujit/-

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