

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45108 of 2014

Arising Out of PS.Case No. -344 Year- 2014 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Guddu Sao, son of Binod Sao,
 2. Upendra Kumar Sharma, son of Late Ashok Thakur,
 3. Nandu Sao, son of Late Banshi Sao,
 4. Lallu Mali, son of Late Mannu Mali, all resident of Mohalla - Nai Sarai,
P.S. Bihar, District - Nalanda
 5. Raju Kumar, son of Late Baldeo Singh, resident of mohalla - Tikulipar,
P.S. Bihar, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ram Shankar Das, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

4/ 23-01-2015 This application as against Petitioner No.5, Raju Kumar, has already been dismissed as withdrawn by order dated 09.01.2015.

Heard learned counsel for the Petitioner Nos. 1 to 4 and the State.

The Petitioner Nos. 1 to 4 apprehend their arrest in a case instituted for the offence under Section(s) 341, 323, 325, 379/34 Indian Penal Code and Section 3(i) (x) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act.

Considering the nature of allegation and fair antecedents of Petitioner Nos. 1 to 4, it is ordered that in the event



of surrender/arrest of the **Petitioner Nos. 1 to 4**, named above, within four weeks from the date of receipt/production of a copy of this order in connection with Bihar P.S. Case No.344 of 2014, they shall be released on anticipatory 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, Nalanda at Biharsharif, subject to the conditions as laid down under section 438(2) Cr. P. C. and (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. The bailors will undertake to furnish information to the court about any change in the address 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 bail on the ground of misuse, (iv) 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 (v) 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.



JA/-

(Anjana Prakash, J)

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