

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49145 of 2014

Arising out of P.S. Case No. -421 Year- 2014 Thana -
SAHARSA District- SAHARSA

- =====
1. Birbal Yadav S/o Late Nenilal Yadav.
 2. Shambhu Yadav S/o Late Nenilal Yadav Both are resident of village - Baijnathpatti, tola - Baluaha P.S. - Saharsa, District Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s: Mr. Amit Kr. Rakesh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 03.03.2015

Heard learned counsel for the Petitioners,
Informant and the State.

The Petitioners seek bail in a case instituted for the offences under Section 366(A)/34 of the Indian Penal Code and later on Sections 302 and 201 IPC was added.

Considering that apart from vague suspicion there is no other material against the Petitioners who have fair antecedents, let them be released on bail on furnishing bail bonds of Rs. 5,000/- (Five Thousand) each with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Saharsa P.S. Case No. 421 of 2014 subject to the following conditions:- (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 bailor 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 accused in any other case and if they are they shall not be released on bail. (iii) 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. (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 delays the trial in any manner, their bail will be liable to be cancelled for reasons of misuse. (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.

(Anjana Prakash, J.)

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