

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51190 of 2014

Arising Out of PS.Case No. -40 Year- 2014 Thana -PALI District- JEHANABAD

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1. Mukesh Kumar Son of Karoo Yadav
 2. Ram Lakhan Prasad @ Ram Lakhan Yadav Son of Yamuna Yadav
 3. Bidya Bhushan Kumar, Son of Naresh Prasad @ Nekha Prasad
 4. Raj Mani Devi, Wife of Manoj Prasad.
- All resident of Village- Bibipur, P.S.- Pali, District- Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. M. Rab(APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 19-05-2015 Having heard learned counsel for the parties in respect of the allegation for offence under Section 147, 148, 149, 341, 323, 307, 379 & 504 of the Indian Penal Code, this Court, by taking into account that not only the First Information Report was delayed by a period of over seven days but, even otherwise, the allegation of assault was against one Brind Yadav and that there is no allegation of specific overt act against the petitioners as also the fact that the petitioners have got no criminal antecedent, would direct that if the petitioners, namely, Mukesh Kumar, Ram Lakhan Prasad @ Ram Lakhan Yadav, Bidya Bhushan Kumar and Raj Mani Devi 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/- (ten thousand) each with two sureties of the like amount each to the

satisfaction of Sub Divisional Judicial Magistrate, Jehanabad in connection with Pali P.S. Case No. 40 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-

- (i) That both the bailors will be a close relative 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 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.

(Mihir Kumar Jha, J)

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