

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 443 of 2015

Arising out of P.S. Case No. -321 Year- 2012 Thana -
BAKHTIYARPUR District- PATNA

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1. Munna Paswan.

2. Kapil Paswan.

Both sons of Gaya Paswan @ Ganga Paswan, Resident of
Village Benipur, P.S.-Salimpur, District-Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Imteyaz Ahmad, Adv.

For the Opposite Party/s: Mr. Umeshanand Pandit (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 08.01.2015

Heard learned counsel for the Petitioners and the
State.

The Petitioners are apprehending their arrest in a
case registered under Sections 341, 323, 307, 504 and
Section 302/34 of the Indian Penal Code.

Considering the nature of allegations and the fact
that final report was submitted in the matter as also that
the Petitioners have fair antecedents, let them be released
on anticipatory bail in the event of arrest or surrender
before the learned Court below within a period of four
weeks from the date of receipt of the order 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 Additional Chief
Judicial Magistrate, Barh, Patna in connection with
Bakhtiarpur P.S. Case No. 321 of 2012 subject to the
conditions as laid down under Section 438(2) of the Code of

Criminal Procedure as also 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 an 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.

Vikash/-

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(Anjana Prakash, J.)