

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 41192 of 2014

Arising out of P.S. Case No. -162 Year- 2014 Thana -BAGHA

District- WESTCHAMPARAN (BETTIAH)

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1. Priya Pandey W/o Manu Pandey.
 2. Puspa Pathak W/o Jhunnu Pathak.
 3. Puja Pathak D/o Jhunnu Pathak.
 4. Santosh Pathak S/o Jhunnu Pathak.
 5. Jhunnu Pathak S/o Tribhuwan Nath Pathak All Resident
of Village - Malkauli, P.S. Bagaha, District - West
Champaran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Adv.

For the Opposite Party/s: Mr. Manoj Kumar 1 (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 20.03.2015

Heard learned counsel for the Petitioners and the
State.

The Petitioners are apprehending their arrest in a
case registered under Sections 323, 341, 354, 337, 379, 452,
504 and 504/34 of the Indian Penal Code.

Considering that there is a counter-version of the
occurrence and the fair antecedents of the Petitioners, 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, Bagaha, West Champaran in connection with
Bagaha (Pathkhauli) P.S. Case No. 162 of 2014 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 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/-

(Anjana Prakash, J.)

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