

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51207 of 2015

Arising Out of PS.Case No. -699 Year- 2014 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Amit Kumar @ Domi Gupta son of Sri Ganesh Prasad Gupta, resident of village- Biraili Tola Maheshwa, P.S.- Madhepura (O.P. Bhararhi), District- Madhepura

2. Shankar Kumar son of Sri Ganesh Prasad Gupta, resident of village- Biraili Tola Maheshwa, P.S.- Madhepura (O.P. Bhararhi), District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

2. Rajo Sah son of Late Nageshwar Sah, Resident of village- Biraili Tola Maheshwa, P.S.- Madhepura (O.P. Bhararhi), District- Madhepura

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. U.L.Verma(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 09-11-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for offence under Sections 147, 149, 323, 384, 420 and 467 of the Indian Penal Code and that the complaint case filed by the petitioners itself in relation to a land dispute for which there is already a Title Suit bearing T.S.No. 15 of 2014 pending between the parties, this Court keeping in view that the petitioners have also got no criminal antecedent, would be inclined to grant privilege of anticipatory bail to the petitioners.

That being so, if the petitioners, namely, Amit Kumar @ Domi Gupta and Shankar Kumar surrender before the court below within a period of four weeks from today, they shall be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the

like amount each to the satisfaction of Sri J.K.Kashyap, Judicial Magistrate, 1st Class, Madhepura in connection with Complaint Case No. 699 of 2014; subject to the following conditions:

(i) That both the bailors will be close family relatives 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 addresses 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 their 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.

Sujit/-

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(Mihir Kumar Jha, J)