

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55114 of 2015

Arising Out of PS.Case No. -148 Year- 2015 Thana -DIGHWARA District- SARAN

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1. Pramod Kumar Singh Son of Late Ramkhabar Singh
 2. Rahul Gupta @ Rahul Ranjan, son of Late Kashinath Gupta
 3. Rohitesh Kumar Gupta @ Rohitesh Kumar, Son of Late Kashinath Gupta
 4. Abhay Kumar Gupta @ Abhay Kumar
 5. Avinash Kumar Gupta @ Avinash Kumar, both sons of Om Prakash Gupta
 6. Arun Kumar Gupta son of Late Sita Ram Gupta All resident of village Basti Jalal, P.S. Dighwara, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 08-12-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in Dighwara P.S. case No.148 of 2015 registered under Sections 341, 323, 379, 307, 504, 506 and 384/34 of the Indian Penal Code, pending before the court of A.C.J.M. I, Chapra at Saran.

Considering that the Petitioner No.1 has criminal antecedents, I am not inclined to extend the privilege of anticipatory bail to him.

Prayer for anticipatory bail of Petitioner No.1 is rejected.

As for rest of the Petitioners, in view of the counter



version of the occurrence and the fair antecedents of the Petitioners, let the Petitioners No.2 to 6 above named 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 this order in connection with Dighwara P.S. case No.148 of 2015 on furnishing bail bonds of Rs.5,000/- (five thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. I, Chapra at Saran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also conditions (i) That one of the bailor 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 undertake to furnish information to the Court about any change in 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 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 delay 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 if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Anjana Prakash, J)

Narendra/-

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