

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 1976 of 2015

Arising out of P.S. Case No. -22 Year- 2014 Thana -
GOBARDHANA District- WESTCHAMPARAN (BETTIAH)

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1. Munsii Mahto Son of Late Mahesh Mahto.
 2. Daroga Mahto Son of Naresh Mahto Both are Resident of village - Bakwa Chandra, P.S. Gobardhana, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Adv.

For the Opposite Party/s: Mr. Dr. Kumar Uday Pratap (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 19.01.2015

Heard learned counsel for the Petitioners and the
State.

The Petitioners seek bail in a case instituted for
the offences under Section 302/34 of the Indian Penal
Code.

Considering that there is no specific overt act
alleged against the Petitioners who have fair antecedents,
let them be released on bail 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 Sri P. Krishna, Judicial Magistrate,
1st Class, Bagaha, West Champaran (or its successor) in
connection with Gobardhana P.S. Case No. 22 of 2014
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.

(Anjana Prakash, J.)

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