

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2563 of 2015

Arising Out of PS.Case No. -183 Year- 2014 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Bhola Mian Son of Idrish Mian
 2. Safique Mian Son of Late Habib Mian
 3. Channu Mian Son of Hasnain Mian
 4. Sarfuddin Mian son of Sadul Mian
 5. Anwar Mian Son of Late Habib Mian All resident of village -
Nagargawan, P.S. Chakia, Distt. - East Champaran at Motihari

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Harendra Pd.(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 22-01-2015 Heard learned counsel for the Petitioners and

the State.

The Petitioners seek bail in a case instituted for the
offence under Section(s) 452,341,323,324,307,504,506/34 of the
indian Penal Code.

Considering that there is no sepcific overt act
alleged against the petitioners and the occurrence took place on
account of land dispute, in the event of surrender/arrest of the
Petitioners, named above, within four weeks from the date of
receipt/production of a copy of this order in connection with
Chakia P.S. Case No. 183 of 2014, they shall be released on



anticipatory bail on furnishing bail bond of Rs.5,000/- (five thousand) each with two sureties of the like amount each or any other surety to be fixed by the court below to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran subject to the conditions as laid down under sections 438(2) Cr. P. C. subject to the 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 bailors will undertake to furnish information to the court about 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 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 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 delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, and (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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