

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47191 of 2014

Arising Out of PS.Case No. -234 Year- 2012 Thana -PALIGANJ District- PATNA

(1) Krishna Das, son of late Babu Ram Das,
(2) Raj Nandan Das, Son of Baskit Das,
Both are residents of Kurkuri, P.S.- Paliganj, District- Patna.
(3) Subodh Kumar @ Karu, Son of Shiv Lal Mochi
(4) Kapil Mochi, son of late Ram Lakhan Mochi
(5) Hira Lal Mochi Son of Nand Lal Mochi
All three persons are resident of Village- Bali Pakar, P.S.- Paliganj, District- Patna
(6) Binod Paswan, son of late Braham Deo Paswan
Resident of Village- Kurkuri, P.S.- Paliganj, District- Patna.

..... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate.

For the Opposite Party/s: Mr. A.L.Pandit (App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 14-05-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for offence under Sections 120B, 147, 148, 149, 307, 323, 332, 333, 337, 338, 427, 431, 436, 448, 353 and 504/34 of the Indian Penal Code and the fact that there is an omnibus allegation against the petitioners as with regard to certain protest made by them at the police station as also ransacking the police station during protest being made by the number of persons and that the petitioners have got no criminal antecedent, they would be also entitled for privilege of anticipatory bail keeping in view that co-

accused Dipu Kumar @ Dipu Singh and Sanoj Kumar @ Sanoj Bari @ Sanoj Singh & others have also been granted anticipatory bail by this Court vide orders dated 21.03.2014 & 19.03.2014 in Cr. Misc. No. 3673 of 2014 and Cr. Misc. No. 3376 of 2014 respectively.

That being so, if the petitioners, namely, (1) Krishna Das, (2) Raj Nandan Das, (3) Subodh Kumar @ Karu, (4) Kapil Mochi, (5) Hira Lal Mochi and (6) Binod Paswan, surrender before the court below within a period of four weeks from today, they shall be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur in connection with Paliganj P.S.Case No. 234 of 2012 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.

(Mihir Kumar Jha, J)

Sujit/-

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