

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 436 of 2015

Arising out of P.S. Case No. -2562 Year- 2010 Thana -
GOPALGANJ COMPLAINT CASE District- GOPALGANJ

- =====
1. Bishundeo Singh, Son of Bidya Singh, Resident of Village-Madhusarai, Police Station-Manjhagarh, District-Gopalganj. At present resident of Village-Sarsar, Police Station+District-Siwan.
 2. Ramawati Devi, Wife of Ramakant Yadav.
 3. Seema Devi, Wife of Baban Yadav. Both are resident of Village-Prahaladpur (Madhusarai), Police Station-Manjhagarh, District-Gopalganj.
 4. Hari Shankar Yadav, Son of Late Sadhu Yadav, Resident of Village-Prahaladpur, Police Station-Manjhagarh, District-Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ahmad Ali (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 08.01.2015

Heard learned counsel for the Petitioners and the
State.

The Petitioners are apprehending their arrest in a
case registered under Section 420/34 of the Indian Penal
Code.

Considering that the Petitioner No. 1, Bishundeo
Singh has criminal antecedents, I am not inclined to extend
the privilege of anticipatory bail to him. The prayer for bail
is rejected.

However, with regard to Petitioners No. 2 to 4, in
view of the nature of allegations and the fair antecedents,



let them 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 the order 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 Abhishek Kunal, Judicial Magistrate, 1st Class, Gopalganj (or its successor) in connection with Complaint Case No. 2562 of 2010 (Tr. No. 1074 of 2014) subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also 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 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 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.



Vikash/-

(Anjana Prakash, J.)

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