

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.74 of 2015**

Arising Out of PS.Case No. -87 Year- 2014 Thana -KURSAKANTA District- ARRARIA

1. Binod Sah, son of late Habhi Sah  
2. Laxmi Devi, wife of Binod Sah  
Both are resident of village Karaihia, P.S. Kursakanta, Distt. Araria  
..... Petitioner/s

Versus

The State of Bihar  
..... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.  
For the Opposite Party/s : Mr. Sangita Sharma, (APP)

**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**  
**ORAL ORDER**

2      08-01-2015                      Heard learned counsel for the Petitioners and the  
  
State.

The petitioners apprehend their arrest in a case  
instituted for the offence under Section(s) 364 and 120(B)/34  
Indian Penal Code.

Considering that there is only suspicion against the  
Petitioners who have fair antecedents, it is ordered that 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 Kursakanta P.S. Case No. 87 of 2014,  
shall be released on anticipatory bail on furnishing bail bond of  
Rs.5,000/- (Five thousand) with two sureties of the like amount  
each or any other surety to be fixed by the Court below to the  
satisfaction of Chief Judicial Magistrate, Araria, subject to the  
conditions as laid down under Section 438(2) Cr. P.C. and (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 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 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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