

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 15468 of 2015

Arising out of P.S. Case No. -39 Year- 2015 Thana -BHAWANIPUR
District- PURNIA

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1. Nago Mandal S/o Late Makchedi Mandal
 2. Bhotho Mandal@ Bhoto Mandal@Bhothri Mandal S/o Late Bhagwat mandal
 3. Biren@Biran Mandal
 4. Hiro Mandal both sons of Sri Nago Mandal
 5. Nitis Mandal @ Nitish Kumar
 6. Mangal Mandal@Mangal kumar both sons of Sri Bhotho Mandal all resident of Village- Durgapur, P.s- Bhawanipur, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn, Adv.

For the Opposite Party/s: Mr. Smt. Gulnar Begum (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

03. 27.05.2015

Supplementary-Affidavit filed today on behalf of the
Petitioners annexing the injury report be kept on record.

Heard learned counsel for the Petitioners and the State.

The Petitioners are apprehending their arrest in a case
registered under Sections 341, 147, 148, 149, 323, 307 and
506/34 of the Indian Penal Code.

Considering that the Petitioners are co-sharers of the
Informant and there is land dispute between the parties as also they
have 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 Chief Judicial Magistrate, Purnea in

connection with Bhawanipur P.S. Case No. 39 of 2015 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 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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