

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46728 of 2012

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Birendra Mishra, son of Krishana Mishra, r/o village- Parsathua, P.S.-
Kochas (Parasathua), District- Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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With

Criminal Miscellaneous No.48125 of 2012

Arising Out of PS.Case No. -154 Year- 2002 Thana -null District- SASARAM (ROHTAS)

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1. Adalat Ansari, S/O Rafik Ansari, R/O Village - Parsathua, P.S. Kochas
(Parasathua), District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr. Misc. No.46728 of 2012)

For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar-1, APP

(In Cr. Misc. No.48125 of 2012)

For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate

For the Opposite Party/s : Mr. L. K. Sharma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3/ 23-01-2015

Heard learned counsel for the Petitioners and the

State.

The Petitioners apprehend their arrest in a case
instituted for the offence under Section(s) 302 and other allied
Sections of Indian Penal Code and Section 27 of the Arms Act.

Considering the nature of allegation 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 Kochas (Parsathua) P.S. Case No.154 of 2002, they shall be released on anticipatory bail on furnishing bail bond of ₹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, Rohtas at Sasaram, 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 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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