

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 877 of 2016

Arising out of P.S. Case No. -27 Year- 2015 Thana -BIRUPUR
SAHAYAK District- LAKHISARAI

- =====
1. Prabhu Sah @ Prabhu Saw Son of Late Kapuri Sah.
 2. Sablu Sah @ Sablu Saw son of Prabhu Sah @ Prabhu Saw
Both Resident of village- Birupur, P.S.- Birupur, District-
Lakhisarai. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Adv.

For the Opposite Party/s: Smt.Veena Kumari Jaiswal (APP)

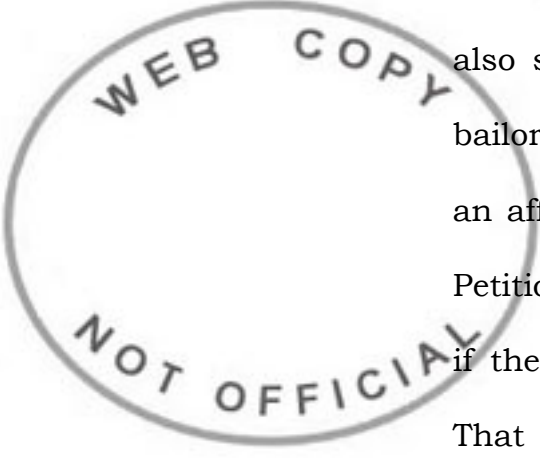
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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 12.01.2016 Heard learned counsel for the Petitioners and the
State.

The Petitioners are apprehending their arrest in a
case registered under Section 365/34 of the Indian Penal
Code.

In view of the statement of the alleged victim
recorded during investigation who did not support the factum
of kidnapping who are close relatives, let the Petitioners, above
named who have fair antecedents 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 Rajiv Nayan, Judicial Magistrate, 1st Class,
Lakhisarai or his successor in connection with Birpur P.S.



Case No. 27 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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