

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13358 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Md. Nazibullah S/o Zikrullah Miya.
 2. Md. Imanullah S/o Zikrullah Miya.
 3. Md. Sanaullah S/o Atiullah Miya all are resident of village Shekhauna Mahajan Tola P.S. Ghorasahan East Champaran.

.... Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Adv.

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 01-04-2016 Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in case instituted for the offence under Section(s) 341,342,307,326,504,506/34 of the Indian Penal Code.

Considering that there is no explanation for the case having been instituted after one month of the occurrence and in the earlier case instituted by the informant the final report has been submitted, 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 Ghorasahan P.S. Case No. 02 of 2016 they shall be released on anticipatory bail on furnishing bail bond of Rs.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 Sub-Divisional Judicial Magistrate, Sikrahana at Motihari

East Champaran subject to the conditions as laid down under sections 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 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,(iii) 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 (iv) 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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