

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21172 of 2016

Arising Out of PS.Case No. -62 Year- 2015 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Shivshankar Ram, S/o late Ruplal Ram
2. Balendra Ram, S/o Sri Deeplal Ram
3. Gangiya Devi, W/o Sri Jeera Ram
4. Amarjeet Ram, S/o Sri Jeera Ram
5. Surendra Ram, S/o Sri Jeebachh Ram
6. Banai Ram, S/o late Batahu Ram
7. Heera Ram, S/o late Raghunath Ram
All of Village- Bhurkurwa, P.S.- Rajepur, Distt East Champaran.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar
For the Opposite Party/s : Mr. Jitendra Kr.Roy 1, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 20-05-2016 Heard.

The petitioners, 7 in number, apprehend their arrest in a criminal prosecution registered under Sections 307, 324, 325 379 and some other allied offences under the Indian Penal Code.

Though the petitioners are named in the FIR vide Annexure-1 as accused, but taking into consideration the fact that the allegations against them are general and omnibus in nature and further taking into consideration the fact that the injuries sustained by the injured persons have been opined to be simple in nature, which is evident from Annexure-2 series, and also taking into consideration the fact that the petitioners are said to be the first offenders, as has been asserted in paragraph 3 of the anticipatory bail application, this Court is inclined to accede to the prayer made on behalf of the petitioners for grant of anticipatory bail. Accordingly, their prayer for anticipatory bail is allowed.

In the event of their arrest or surrender in the court

below within a period of four weeks from today, let the above named petitioners be enlarged on bail on furnishing bail bond of Rs. 25,000/- each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sadar, Motihari, East Champaran in connection with Rajepur P.S. Case No. 62 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and subject to further conditions that:

(A) One of the bailors must be government servant or close family members of the petitioners, who will file an affidavit in the court below showing his/her relationship with the petitioners,

(B) if the petitioners are found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioners, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;

(C) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in person or through representation by their lawyer on each and every date, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioners.

Arvind/-

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(Birendra Prasad Verma, J)