

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1656 of 2016

Arising Out of PS.Case No. -64 Year- 2015 Thana -BAHERA District- DARBHANGA

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1. Md. Usman @ Usman Son of Late Bilat.
2. Ali Mohammad Son @ Ali Mohammaddin both residents of Village-
Mahmuda P.S.- Biraul District- Darbhanga.

..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Prasad Yadav, Adv.
For the Opposite Party/s : Mr. C.Sen Prasad Singh (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 18-01-2016

Heard learned counsel for the Petitioners and the
State.

The Petitioners seek bail in a case instituted for the
offence under Section(s) 363,366A, 366B, 372 of the Indian Penal
Code and 4/5 of the POSCO Act and 3/4/5/6 of I.T.P Act.

In view of the statement of the alleged victim
recorded under Section 164 Cr.P.C, 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 Bahera P.S. Case No. 64 of 2015, 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 Special Judge(POSCO), Darbhanga subject
to the conditions as laid down under sections 438(2) Cr. P. C

subject to the 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 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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