

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26865 of 2015

Arising Out of PS.Case No. -50 Year- 2014 Thana -GAURICHAK District- PATNA

Ramgati Rai, son of late Ramkishun Rai, R/o Village- Patanpura, P.S.-
Gaurichak, Dist.- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.28150 of 2015

Arising Out of PS.Case No. -50 Year- 2014 Thana -GAURICHAK District- PATNA

Ramji Rai, s/o late Ramkishun Rai, Resident of Village Patanpura, P.S.
Gaurichak, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.26865 of 2015)

For the Petitioner/s : Mr. Prakash Chandra Agrawal

For the Opposite Party/s : Mr. S.N.Shukla(App)

(In Cr.Misc. No.28150 of 2015)

For the Petitioner/s : Kumari Sujata Sinha, Adv.

For the State : Mr. Shailendra Kr. Singh, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

7 11-07-2016 Heard learned Counsel for the Petitioners and the State.

The Petitioners were refused bail by the order dated 26.9.2014 passed by this Court in Cr. Misc. 36294 of 2014.

Perused the report of the Trial Court from which it appears that the Prosecution is not taking adequate interest in pursuing the matter.

Be that as it may, let the petitioners above named, be

released on 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 concerned to the satisfaction of Additional Chief Judicial Magistrate, Patna City, Patna, as well as Sri Sanjay Kumar, Judicial Magistrate, IVth, Patna City, Patna, in connection with Gaurichak P.S. Case no. 50 of 2014, 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 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 be physically present on each date of Trial 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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