

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13455 of 2016

Arising Out of PS.Case No. -54 Year- 2013 Thana -ROH District- NAWADA

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1. Satyendra Kumar @ Satyendra Singh, Son of Brij Nandan Singh, Resident of Village- Kabilpur, Police Station- Shekhopur Sarai, District- Shekhpura.
 2. Mukesh Kumar @ Mukesh Singh, Son of Brij Nandan Singh, Resident of Village- Kabilpur, Police Staion- Shekhopur Sarai, District- Shekhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar, Adv.
For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 05-04-2016

Heard.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 420/406 and some other allied offences under the Indian Penal Code.

Though the petitioners are named in the FIR vide Annexure-1 as accused persons, but taking into consideration the fact that the informant and the accused persons are related to each other and also taking into consideration the fact that the criminal prosecution against the petitioners is based on certain oral transactions only and further taking into consideration the fact that the petitioners are said to be the first offenders, this Court is inclined to accede to the prayer made on behalf of the petitioners for grant of anticipatory bail. Accordingly, their prayer for grant of 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 Judicial Magistrate-1st Class, Nawada in connection with Roh P.S. Case No. 54 of 2013, 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/-

(Birendra Prasad Verma, J)

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