

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48107 of 2015

Arising Out of PS.Case No. -180 Year- 2015 Thana -ALOULI District- KHAGARIA

- =====
1. Upendra Singh, S/o Late Brahamdeo Singh
 2. Indal Singh, S/o Upendra Singh
 3. Heera Devi W/o Upendra Singh
 4. Indu Devi, W/o Indal Singh

All are Resident of Village- Alauli Rounghol Bahiyar, Base,
P.S.- Alauli, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 29-01-2016

Heard the parties.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 341, 323, 354, 307, 504 and 506/34 of the Indian Penal Code.

Taking into consideration the fact that the first information report vide Annexure-1 has been lodged after undue and unexplained delay of one and half months and further taking into consideration the fact that the allegations against the petitioners are omnibus and general in nature, this Court is inclined to accede to the prayer for grant of anticipatory bail made on behalf of the petitioners.

Let the petitioners namely, Upendra Singh, Indal Singh, Heera Devi and Indu Devi, in the event of their arrest or surrender in the court below within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like

amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S.Case No. 180 of 2015, subject to the conditions laid down under Section 438 (2) of the Cr.P.C. and subject to the further conditions that:

(A) one of the bailors must be government servant or close family member of the petitioners who will file an affidavit in the court below showing their 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, and

(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 dates, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Birendra Prasad Verma, J)

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