

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 1934 of 2016

Arising out of P.S. Case No. -238 Year- 2014 Thana -
GOPALPUR District- BHAGALPUR

- =====
1. Nilam Patel Wife of Jai Prakash Mandal.
 2. Umesh Mandal, son of Chhedi Mandal, Both Residents of Village- Masudanpur Basi, P.S.- Gopalpur (Rangra), District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey, Adv.

For the Opposite Party/s: Mr. Nityanand Tiwary (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 18.01.2016

Heard learned counsel for the Petitioners and the State.

The Petitioners are apprehending their arrest in a case registered under Sections 420, 504 and 504/34 of the Indian Penal Code.

Considering the earlier litigation between the parties and the fair antecedent of the Petitioners, let them be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from the date of receipt of the order on furnishing bail bonds of Rs. 5,000/- (Five Thousand) each with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Additional Chief Judicial Magistrate, Naugachia, Bhagalpur in connection with (Rangra) Gopalpur P.S. Case No. 238 of 2014 subject to the conditions as laid

down under Section 438(2) of the Code of Criminal Procedure as also subject to the following 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 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 delays the trial in any manner, their bail will be liable to be cancelled for reasons of misuse. (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.

Vikash/-

(Anjana Prakash, J.)

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