

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 13190 of 2016

Arising out of P.S. Case No. -340 Year- 2015 Thana -
MADHUBAN District- EASTCHAMPARAN(MOTIHARI)

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1. Umesh Kumar Sah Son of Late Punit Sah.	
2. Praduman Kumar.	
3. Devraj Kumar Both sons of Umesh Kumar Sah All residents of village- Saraiya, P.S.- Madhuban, District- East Champaran.	 Petitioner/s
Versus	
The State of Bihar	 Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s: Mr. C. Sen Pd. Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 01.04.2016 Heard learned counsel for the Petitioners and the State.

The Petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

Considering the genesis of the occurrence and the fair antecedents 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Madhuban P.S. Case No. 340 of 2015 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.

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(Anjana Prakash, J.)