

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1200 of 2016

Arising Out of PS.Case No. -72 Year- 2010 Thana -LAXMIPUR District- JAMUI

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1. Sahdeo Rabidas, Son of late Chunni Rabidas
2. Sudhir Rabidas, Son of Sahdeo Rabidas
Both resident of Village- Karra, P.S.- Laxmipur, District Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Adv.

For the Informant : Mr. Amrendra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 12-02-2016

Heard.

The petitioners apprehend their arrest in a criminal prosecution registered under Section 302/34 of the Indian Penal Code.

Though, the petitioners are named in the FIR vide Annexure-1 as accused, besides other accused persons, but taking into consideration the fact that, on close of the investigation, the petitioners were not charge-sheeted and charge-sheet was submitted against two accused persons only against whom cognizance was taken and trial proceeded and further taking into consideration the fact that the petitioners have been summoned by the learned trial court in exercise of its powers under Section 319 Cr.P.C., this Court is inclined to accede to the prayer made on their behalf 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 A.D.J.-II, Jamui in connection with Sessions Trial No.370 of 2011, arising out of Laxmipur P.S. Case No.72 of 2010, 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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