

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11685 of 2016

Arising Out of PS.Case No. -100 Year- 2013 Thana -ATRI District- GAYA

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1. Quaishar Khatoon Wife of Md. Sahabuddin Ansari, Resident of Village -Maulanagar, PS Atri Dist Gaya.
 2. Sona Devi Wife of Sudama Pandit, Resident of Village-Maulanagar Ps Atri , Distt Gaya.
 3. Shambhu kumar Son of Sri Bhuneshwar Yadav, Resident of Village- Sewtar Ps Atri , District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. M.K. Khare(APP)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 17-03-2016 Heard the parties.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 420, 406, 467, 468, 471 and 34 of the Indian Penal Code.

Though, the petitioners are also named in the F.I.R, vide Annexure-1, as an accused, but taking into consideration the fact that co-accused Dewanand Prasad and co-accused Ajay Prasad, with almost similar and identical allegation, have already been granted anticipatory bail by a Bench of this Court by order dated 22.05.2015 passed analogously in Cr. Misc. No. 12753 of 2015 and Cr. Misc. No. 15530 of 2015, vide Annexure-2, this Court is inclined to accede to the prayer made on behalf of the petitioners also for grant of anticipatory bail particularly in the background that they are first offenders.

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-bonds of

Rs. 25,000/- each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gaya, in connection with Atri P.S.Case No. 100 of 2013 dated 04.07.2013, subject to the conditions laid down under Section 438(2) 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 his 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 the 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 an 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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