

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 22190 of 2016**

Arising out of P.S. Case No. -75 Year- 2015 Thana -  
HATHAURI District- SAMASTIPUR

- =====
1. Balram Kamti Son of Shiv Kumar Kamti.
  2. Bipin Kumar Rai Son of Phulo Rai Both residents of village Ballipur, P.S. Hathauri, District Samastipur.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Sujit Kumar Singh, Adv.

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

=====

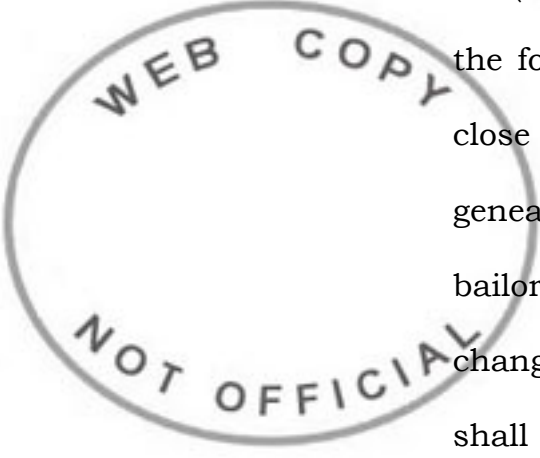
**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**  
**ORAL ORDER**

**02. 19.05.2016**

Heard learned counsel for the Petitioners and the  
State.

The Petitioners are apprehending their arrest in a  
case registered under Section 366(A)/34 of the Indian Penal  
Code.

Considering that the girl did not allege any sexual  
misbehaviour upon herself by the accused persons, let the  
Petitioners, above named who have fair antecedents 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 Sri Dipanshu Shrivastava,  
Judicial Magistrate, 1<sup>st</sup> Class, Rosera, Samastipur or his  
successor in connection with Hathauri P.S. Case No. 75 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.

Vikash/-

**(Anjana Prakash, J.)**

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|