

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26486 of 2016

Arising Out of PS.Case No. -78 Year- 2016 Thana -SAHPUR District- BHOJPUR

1. Ramjee Rai
2. Laxman Rai, Both Sons of Radha Krishna Rai, Resident of Village - Shivpur, P.S. - Shahpur, District - Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 12-07-2016 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case instituted for the offence under Sections 302, 201/34 of the Indian Penal Code.

Considering that there is no eye-witness to the occurrence, let the Petitioners, above named, be released on bail on furnishing bail bond of Rs.5,000/-(Five Thousand) each with two sureties of the like amount each or any other surety to be fixed by the Court below to the satisfaction of Additional Chief Judicial Magistrate, 14th, Bhojpur in connection with Shahpur P.S. Case No. 78 of 2016 subject to the 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 bailors will undertake

to furnish information to the court about 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 bailors shall also state on affidavit that they 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 delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, and (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.

(Anjana Prakash, J)

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