

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22250 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -ARA HARIJAN District- BHOJPUR

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1. Musmat Shanti Kuer Widow of Late Ram Chandra Ojha
 2. Angad Kumar Ojha Son of Shyam Narain Ojha
 3. Pankaj Kumar Ojha Son of Sukhdeo Ojha All resident of village - Doghara, P.S. Behia, District - Bhojpur
 4. Manoj Kumar Pandey @ Manoj Pandey Son of Kanhaiya Lal Pandey
 5. Akchhay Kumar Sah Son of Ghuran Sah
 6. Dilip Sah Son of Akchhay Sah
 7. Pradip Sah Son of Gupteshwar Sah No. 4 to 7 are residents of village - Bharasara, Kokila, P.S. Jagdishpur, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Mritunjay Narain, Adv.

For the Opposite Party/s : Mr. Sadanand Paswan(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 20-05-2016 Heard learned counsel for the Petitioners and the State.

The Petitioners seek bail in a case instituted for the offence under Section(s) 341,323,120(B),420,668 and 504 of the Indian Penal Code and Section 3(1) (v) (x) of the SC and ST (Prevention of Atrocities) Act, 1989.

Considering the background of the dispute between the parties and the fair antecedents of the petitioners, in the event of surrender/arrest of the Petitioners, named above, within four weeks from the date of receipt/production of a copy of this order in connection with SC/ST (K) P.S. Case No. 28 of 2016, they shall be released on **anticipatory 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 the Chief Judicial Magistrate, Bhojpur, Ara subject to the conditions as laid down under sections 438(2) Cr. P. C. 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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