

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39033 of 2017

Arising Out of PS.Case No. -396 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Deepu Kumar, son of Murli Prasad Singh,
2. Gautam Kumar @ Nitin Kumar @ Nikku Kumar @ Gautam, Son of Lala Prasad Singh, Both resident of Village- Mahisaur, P.S.- Jandaha, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-08-2017

Heard learned counsel for the petitioners and learned

APP for the State.

This is a case registered under Sections 420, 467, 468, 471, 384 and 120B/34 of the Indian Penal Code.

Counsel for the petitioners submits that the petitioners are daily wages employee of the firm of one Ranjan Kumar and Vivek Kumar Shaw, who were directors of the said company. In support of which he placed on record Annexure 2. He further submits that there is no recovery of any incriminating articles from the conscious possession of the petitioners and they are in jail custody since 13.06.2017. He also submits that prior to the instant case the petitioners have no criminal antecedent.

In the facts and circumstances of the case, prayer for



bail of the petitioners is allowed. Let the petitioners above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in Hajipur Town P.S. Case No. 396 of 2017 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 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 delay 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.

(Madhuresh Prasad, J)

Prakash/-

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