

Hakim @ Hareshwar Patel and ors. Vs. the State of Bihar

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SooperKanoon Citation : sooperkanoon.com/974942

Court : Patna

Decided On : May-13-2012

Appellant : Hakim @ Hareshwar Patel and ors.

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous
No.43163 o

1. Hakim @ Hareshwar Patel son of Late Triveni Patel

2. Amar Patel son of Late Triveni Patel

3. Lal Babu Patel son of Shankar Patel Versus The State Of Bihar

2. 13.1.2012 Heard learned counsel for the petitioners and the State. The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 504/34 of the Indian Penal Code and 3(i)(x) of the SC/ST Act. Considering the nature of allegations, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of four weeks from today in connection with Nautan P.S. case No.212 of 2011 on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Bettiah, Distt. West Champaran, subject to the conditions as laid down under Section 438(2) of

the Code of Criminal Procedure as also conditions (i) That one of the bailor 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 undertake to furnish information to the Court about any change in address of the petitioners. (ii) That the affidavit shall clearly state that the petitioners are not an accused in any other case and if they are they shall not be released on -2- 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 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 if they fail to do so on two consecutive dates, their bail will be liable to be cancelled. Narendra/ (Anjana Prakash, J.

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