

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48115 of 2014

Arising Out of PS.Case No. -293 Year- 2014 Thana -KOTWALI District- MUNGER

Ramesh Kumar Pandit @ Ramesh Kumar Son of Kuldip Pandit, Resident of Village-Azimganj, P.S.-Kharagpur, District-Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.49602 of 2014

Arising Out of PS.Case No. -293 Year- 2014 Thana -KOTWALI District- MUNGER

Shyam Kumar Yadav Son of Sujit Kumar Yadav Resident of Village - Hasanganj P.S.- Kashimbazar, District -Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.48115 of 2014)

For the Petitioner/s : Mr. Ajit Kumar Singh
Mr. Kumar Kamal Nayan

For the Opposite Party/s : Mr. APP

(In Cr.Misc. No.49602 of 2014)

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. P.N.Pandit, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 20-02-2015 Since both the matters arise out of common police station case, therefore, they have been heard together and are being disposed of by this common order.

The petitioners of both the cases seek bail in a criminal prosecution registered under Sections 419 and 420 of the Indian Penal Code as also under Section 10 of Bihar Conduct of Examination Act, 1981 and Section 66 of The Information Technology Act, 2000.

Taking into consideration the fact that both the petitioners are in judicial custody since 20.10.2014 and co-accused

Raj Kumar @ Raju Kumar and co-accused Bikki Roy with almost identical and similar allegations have already been granted bail vide orders dated 19.12.2014 passed in Cr. Misc. No. 50869 of 2014 and Cr. Misc. No. 50706 of 2014 respectively by a Bench of this Court, their prayer for bail is allowed. The petitioners of both the cases, above named, are directed to be released on bail on furnishing bail bond of Rs. 25,000/- each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Munger in connection with Kotwali P.S. Case No. 293 of 2014 , subject to the conditions that:

- (A) Both the bailors shall be their parents,
- (B) if the petitioners are found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioners, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and
- (C) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in person or through representation by their lawyer on each and every dates, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Birendra Prasad Verma, J)

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