

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36346 of 2014

Arising Out of PS.Case No. -70 Year- 2014 Thana -IMAMGANJ District- GAYA

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1. Pawan Singh S/o Ganga Singh
2. Rupesh Singh S/o Surendra Singh
Both are Resident of Village Jamuna, P.S. Imamganj, District Gaya.
..... Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 20-02-2015 Having heard learned counsel for the parties and taking into account that the petitioners face prosecution for offence under Section 341, 323/34 of the Indian Penal Code and Section 3(vi)(x) of the Scheduled Castes and Tribes (Prevention of Atrocities) Act and that there is no specific allegation save and except that the petitioners have abused the informant along with one Chutan Singh and Chutan Singh has already been granted anticipatory bail, this Court, for maintaining parity, would also direct that if the petitioners, namely, Pawan Singh and Rupesh Singh surrender before the court below within a period of four weeks from today, the court below shall grant bail to the petitioners on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Judicial Magistrate-1st Class, Sherghati, Gaya in connection with Imamganj P.S. Case No. 70 of 2014,

subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to the following conditions namely:-

- (i) That both the bailors will be a close relative of the petitioners, who will undertake an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.
- (ii) 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 the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.
- (iii) That the petitioners will be well represented on each and every date in course of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

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