

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38429 of 2014

Arising Out of PS.Case No. -2500 Year- 2013 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

- =====
1. Nur Hassan Ansari, S/o Nabi Rasul Miyan, R/o Village - Durg Matihania, P.S. - Bishambharpur, District- Gopalganj.
 2. Shesh Man Tiwari, S/o Kedar Tiwari, R/o Village - Tiwari Matihania, P.S. - Bishambharpur, District- Gopalganj.
 3. Mantu Kumar, S/o Sudama Lal, R/o Village - Khajuri, P.S. - Kuchaikot, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Singh

For the Opposite Party/s : Mr. Pradip Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-03-2015

Heard.

The petitioners apprehend their arrest in a criminal prosecution, based on a complaint petition, for offences under Sections 420, 467, 468, 471, 120B of the Indian Penal Code.

Taking into consideration the fact that both sides are at loggerheads on account of bonafide land dispute and further taking into consideration the fact that the Title Suit No.65 of 2013 is also pending between the parties with respect to land under dispute, this Court is inclined to accede to the prayer made on behalf of the petitioners for grant of anticipatory bail. Accordingly, their prayer for anticipatory bail is allowed.

In the event of their arrest or surrender in the court below within a period of four weeks from today, let the above named petitioners be enlarged on bail on furnishing bail bond of Rs. 25,000/- each with two sureties of the like amount each to the

satisfaction of learned C.J.M., Gopalganj in connection with Complaint Case No.2500 of 2013, Tr.No.3734 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and subject to further conditions that:

(A) One of the bailors must be government servant or close family member of the petitioners, who will file an affidavit in the court below showing his/her relationship with the petitioners,

(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 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;

(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 date, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Prasad Verma, J)

Arvind/-

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