

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30522 of 2014

Arising Out of PS.Case No. -192 Year- 2009 Thana -PIPRA District- SUPAUL

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Bhogilal Kamati @ Bhogilal Kamat, son of Late Siyalal Kamati, resident of
Village - Thadi Bhawanipur, P.S.- Pipra, District – Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 14-01-2015

Heard the parties.

The petitioner apprehends his arrest in connection with Pipra P.S. Case No.192 of 2009 corresponding to G.R.No.1273 of 2009 registered for the offences punishable under sections 143, 147, 341, 323, 504, 353 and 307 of the Indian Penal Code.

Learned counsel for the petitioner with reference to the FIR placed at Annexure-1 has submitted that although the petitioner has been named in the FIR but the allegations are general and omnibus in nature inasmuch as the allegation of violent protest resulting in injury to the police official is directed against all the protesters and there is nothing specific against this petitioner who also has a clean antecedent.

Having heard learned counsel for the parties and



taking note of the allegations mentioned in the FIR, let the petitioner, namely, Bhogilal Kamati @ Bhogilal Kamat in the event of his arrest or surrender within four weeks from today be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Pipra P.S. Case No.192 of 2009 corresponding to G.R. No.1273 of 2009 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is he shall not be released on bail.
- (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after

his 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 petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.
- (v) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Jyoti Saran, J)

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