

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43591 of 2014

Arising Out of PS.Case No. -42 Year- 2014 Thana -KARPI District- JEHANABAD

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1. Gautam Kumar @ Rana Awadesh Kumar Gautam Son of Late Sheo Nandan Paswan

2. Ravi Paswan @ Ravi Kumar Son of Late Sohan Paswan @ Ram Sohan Paswan

Both Resident of Village-Panchkesar, P.S.-Karpi, District-Arwal.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Raj Kishor Singh (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 07-05-2015 Heard learned counsel for the parties.

Having regard to the allegations against the petitioners for offence under sections 147, 149, 323, 325, 337, 338, 427, 448, 153A of the Indian Penal Code as also the fact that the allegations against a large number of persons relating to mob and communal tension for which there was also a counter case by the petitioners belonging to Hindu community and that the petitioners claim that they have only one more subsequent criminal case lodged by the police being Karpi P.S.Case No. 46/2014 in which both the petitioners have been granted anticipatory bail by this Court on 15.9.2014 in Cr.Misc.No. 23138/2014, this Court taking into account that both the petitioners are teachers in Primary School, would find them entitled for privilege of anticipatory bail.



That being so, if the petitioners, Gautam Kumar @ Rana Awadesh Kumar Gautam and Ravi Paswan @ Ravi Kumar, surrender before the court below within a period of four weeks from today, they shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Arwal in Karpi P.S.Case No. 42/2014, subject to the following conditions:

(i) That the court below shall make verification of criminal antecedent of the petitioners and if it is found that they are accused in any other criminal case except this case and Karpi P.S.Case No.46/2014, they shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be a close relative of the petitioners who will give 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.

(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 the 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 the date fixed for charge and if they fail to do so on two given dates and delay 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 and every date 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.

surendra/-

(Mihir Kumar Jha, J)

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