

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45839 of 2015

Arising Out of PS.Case No. -382 Year- 2014 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

=====

Lal Babu Gosai Son of Late Gulab Gosai Resident of Ghorasahan, P.S.
Ghorasahan, District - East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surnedra Kumar Singh, Adv.
Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 30-10-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 413, 414/34 of the Indian Penal Code and that neither the police has been able to recover any material from the possession of the petitioner nor there is any material to show his direct complicity, inasmuch as the name of the petitioner has surfaced in the confessional statement of Santosh Kumar in whose house three stolen watches were recovered, this Court keeping in view that the petitioner also has got no criminal antecedent would be inclined to grant privilege of anticipatory bail.

That being so, if the petitioner, Lal Babu Gosai, would surrender before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran in Ghorasahan P.S.Case No. 382/2014, subject to the following conditions:

(i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(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 the 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 and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

surendra/-

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