

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13601 of 2016

Arising Out of PS.Case No. -75 Year- 2015 Thana -SONO District- JAMUI

=====

Pawan Kumar @ Pawan Mandal S/o- Sita Ram Mandal, resident of village-
Lokhan Kayri, P.S.- Sono, District- Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Ram Sevak.Choudhary (APP)

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 10-05-2016

Heard the parties.

The petitioner apprehends his arrest in a criminal prosecution registered under Section 302, 201/34 of the Indian Penal Code.

Though, the petitioner, besides others, is named in the F.I.R, vide Annexure-1, as an accused, but taking into consideration the fact that the petitioner happens to be the younger brother of the husband of the deceased and marriage of the deceased had taken place about 20 years ago with co-accused Hare Ram Mandal, and also taking into consideration the fact that co-accused Hare Ram Mandal, the husband of the deceased, is already in judicial custody, and further taking into consideration the fact that co-accused Sita Ram Mandal and Jhumni Devi have already been granted anticipatory bail by order dated 8.12.2015 in Cr. Misc. No. 54886 of 2015 (Annexure-3 to the supplementary affidavit) by a co-ordinate Bench, this Court is inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail.

In the event of his arrest or surrender in the Court below

within a period of four weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bonds of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Jamui, in connection with Sono P.S. Case No. 75 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C and subject to the further conditions that:

- (A). One of the bailors must be government servant or close family member of the petitioner, who will file an affidavit in the Court below showing his relationship with the petitioner,
- (B). if the petitioner is 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 the bail bond of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving an opportunity of hearing to all concerned and
- (C). the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

BTiwary/-

(Birendra Prasad Verma, J)

U		T	
---	--	---	--