

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15632 of 2017

Arising Out of PS.Case No. -501 Year- 2016 Thana -SUPAUL District- SUPAUL

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1. Gopal Yadav, son of late Barish Lal Yadav,
 2. Kapleshwar Ram, son of late Tophi Yadav, both resident of village-Maha, P.S.- Supaul, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 19-05-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Supaul P.S. Case No.501 of 2016 instituted for the offence under Section(s) 409, 420, 120-B Indian Penal Code.

As per allegation, date of birth of Moni Kumari is 05.07.1988 and, accordingly, she was less than 18 years when she filed the application for Contract *Panchayat* Teacher.

Counsel for the petitioners has submitted that at the time of meeting her age was 18 years 6 months on 01.01.2016. The petitioners were member of the appointment committee and, accordingly, she was appointed. It has further been submitted that Moni Kumari has already been granted anticipatory bail by a co-ordinate Bench of this Court.



In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Supaul P.S. Case No.501 of 2016, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Supaul, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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