

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4579 of 2015

Arising Out of PS.Case No. -75 Year- 2014 Thana -SARMERA District- NALANDA
(BIHARSHARIFF)

1. Ramdas Son of Late Meghu Ravidas
2. Ranjeet Ravidas @Ranjeet Mochi Son of Ramdas Both resident of Meernagar, P.S- Sarmera, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Prasad
For the Opposite Party/s : Mr. Uma Nath Mishra(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 27-05-2015 Heard the Counsel for the petitioners and the APP
for the State.

Petitioners are accused of Sarmera P.S. Case No. 75
of 2014 registered under diverse provisions of the Penal Code
including Section 302 IPC.

Several accused persons are alleged to have entered
into the house of the informant and tried to unfold the she-goat
which was objected whereafter it is alleged that co-accused Chote
assaulted the deceased with *farsa*. When the informant intervened,
all the accused persons assaulted her and deceased with the *lathi*
and *danda*. One of the daughters of the informant received injury.

Contention of the petitioners is that there is omnibus

allegation against them. The petitioners have no criminal antecedent. Another co-accused namely Kamlesh has since been released on anticipatory bail vide order dated 30.1.2015 passed in Cr. Misc. No. 4036 of 2015.

Learned APP, on the other hand, points out that the deceased received injury caused by hard blunt substance which ultimately caused death.

Considering the materials on record, the Court was not inclined to extend the petitioners the privilege of anticipatory bail but considering the fact that one of the co-accused has been privileged with anticipatory bail I direct that in the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in Sarmera P.S. Case No. 75 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below.

In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(iii) During the subsistency of the present case, if the petitioners are found involved in any other criminal case, the same shall be considered as breach of condition of bail entailing cancellation.

Pankaj/-

(Kishore Kumar Mandal, J)

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