

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44019 of 2014

Arising Out of PS.Case No. -33 Year- 2014 Thana -AJAMNAGAR District- KATIHAR

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1. Shekh Kekaru @ Shekh Kedaru Son of Muslim
2. Sohrab Son of Md. Jakhir
Both residents of village - Ranga Pokhar, Police Station - Azam Nagar,
District - Katihar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Nirmal Kr. Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 15-05-2015

Heard the parties.

The petitioners apprehending their arrest in connection with Azamnagar P.S. case no. 33 of 2014 instituted under diverse Sections of the Penal Code including Section 302 of the I.P.C. prayed for grant of anticipatory bail.

A non -issue according to the First Information Report became the issue which resulted into the death of the son of the informant.

Counsel for the petitioners states that from a bare perusal of the First Information Report, it would appear that there is general and omnibus allegation against the petitioners like some others who have been released on anticipatory bail vide a

common order passed in Cr. Misc. No.36290 of 2014 and analogous cases. A copy whereof has been handed in by the counsel for the petitioners which is kept on record marked X for identification. The allegation of exhorting the accused persons is against Noor Alam and some role has been assigned to the generator operator.

In the facts and circumstances of the case, let the petitioners, named above, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in connection with Azam Nagar P.S. case no. 33 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors in each case shall be the own/close family member of the petitioners.
- (ii) As soon as the charges are framed the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in

such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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