

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32364 of 2016

Arising Out of PS.Case No. -208 Year- 2014 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Vicky Patel @ Visky Kumar son of Brijesh Patel
2. Bablu Patel son of Prakash Patel
3. Ajay Patel son of Kishori Patel
4. Dipu Patel son of Rambabu Patel
5. Arvind Patel son of Jagdish Patel
All are residents of Village- Bhitaha Mathiya, Police Station- Bairiya,
District- West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party : Mr. Sadanand Paswan (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 28-10-2016 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

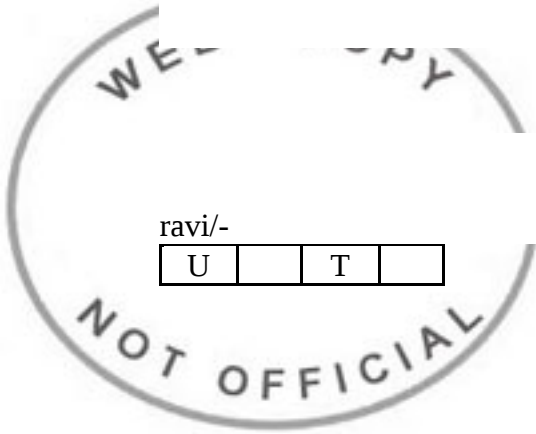
Learned counsel for the petitioners submits that
application as against petitioner no.1 may be permitted to be
withdrawn as he will surrender in the court below. It is further
submitted by learned counsel for the petitioners that so far as the
other accused persons being petitioner nos.2 to 5, namely, Bablu
Patel, Ajay Patel, Dipu Patel and Arvind Patel are concerned final
form as against them have been submitted only under Sections
147, 148, 149, 342 and 504 of the Indian Penal Code and Section
3(i)(x) of the SC/ST Act, except for the provisions of the SC/ST

Act which are not attracted in the present case as it was not committed under public view, the other sections are bailable and the petitioners being similarly situated to other petitioners who have been extended the privilege of anticipatory bail in Crl. Misc. No.28483 of 2015 vide order dated 01.10.2015, the petitioners herein also may be extended the same benefit.

In view of the submissions made by the petitioners and on perusal of Annexure-4 and the statement made by the petitioners at paragraph-5 of the present application and also because the petitioners have no criminal antecedent, let the petitioners, namely, Bablu Patel, Ajay Patel, Dipu Patel and Arvind Patel, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on 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 1st Additional Sessions Judge-cum- Special Judge, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 208 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner no.1 is concerned, the counsel for the petitioner no.1 is permitted to withdraw the application.

Accordingly, the application filed on behalf of petitioner no.1 is
dismissed as withdrawn.



(Anjana Mishra, J.)