

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47852 of 2016

Arising Out of PS.Case No. -83 Year- 2016 Thana -DESARI District- VAISHALI(HAJIPUR)

- =====
1. Lal Babu Das S/o late Chitru Das@Milkhu Das@Chilkhu Das
 2. Deepak Das S/o Ishwar Das@Ram Ishwar Das Both are resident of Village- Chandpura Nanhkar, P.S. Desari, District Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhanu Pratap Singh

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 02-12-2016 Heard both sides.

The petitioners pray for anticipatory bail in Desari (Chandpura O.P.) P.S. Case No. 83 of 2016 registered under Sections 353, 327 and other allied Sections of the Indian Penal Code.

Owing to death of a person, it is alleged that the road was blocked and the persons assembled there were demanding government assistance to the family of the victim. The petitioners along with 150 unknown persons are named in the First Information Report.

It is stated that some other accused(s) persons of this case have been granted anticipatory bail vide order dated 06.10.2016 (annexure-2).



Learned counsel for the State points out that petitioner no. 1 has no clean antecedent as he is also accused(s) of another case registered under Section 307 of the IPC.

Looking to the facts and circumstances of the case, this Court declines the relief of grant of anticipatory bail to petitioner no. 1 (Lal Babu Das). His prayer is rejected.

Let the petitioner no. 2 (Deepak Das), in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Sri Aditya Pandey, Judicial Magistrate 1st Class, Vaishali at Hazipur in Desari (Chandpura O.P.) P.S. Case No. 83 of 2016 subject to the condition as laid down under Section 438(2), the code of Criminal Procedure with further condition that:

- (i) One of the bailors shall be his own/close family member of the petitioner.
- (ii) The petitioner shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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