

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.58078 of 2015**

Arising Out of PS.Case No. -92 Year- 2015 Thana -KATRA District- MUZAFFARPUR

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1. Arun Kumar

2. Amrendra Kumar. Both sons of Bhola Rai. Both residents of village  
Balua, P.S.- Katra, District- Muzaffarpur .... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

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**Appearance :**

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

For the Opposite Party/s : Mr. S.M.Rahman, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**

**SHARAN SINGH**

**ORAL ORDER**

2 25-01-2016

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Katra P.S. Case No. 92 of 2015, disclosing offences under Sections 147, 341, 323, 324 and 307 of the Indian Penal Code, subsequently Section 304 of the Indian Penal Code has been added.

Learned counsel for the petitioners submits that other co-accused persons, namely, Bhola Prasad Yadav @ Bhola Rai, Asheshwar Rai and Anand Mohan alias Prmaod Kumar alias Anand Mohan Kumar have been granted anticipatory bail by this Court vide order dated 07.12.2015 passed in Criminal Miscellaneous No. 55298 of 2015. He submits that case of these petitioners is almost on similar footing. He has also drawn my attention to the Medical Certificate brought on record by way of Annexure-3 and Post Mortem report brought on record by way of

Annexure-3/1 and submits that the deceased died one month and 19 days after the date of occurrence not because of injuries sustained by him but because all certain ailments, he being 80 years of age.

Considering the above submission and the fact that other similarly situated co-accused persons have been granted anticipatory bail by this Court, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Muzaffarpur in connection with Katra P.S. Case No. 92 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Vats/-

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