

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53870 of 2016

Arising Out of PS.Case No. -17 Year- 2013 Thana -RAJAUN District- BANKA

=====

1. Jitendra Das Son of Mahesh Das
2. Mahesh Das Son of late Kartik Das
3. Niranjan Das Son of Mahesh Das
4. Sulendra Das Son of Mahesh das
5. Umesh Das Son of late Kartik Das All are Resident of Village-Bhadwa,
P.S. Rajoun, District-Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 20-12-2016 Heard the Counsel for the petitioners and Mr. Dayal, APP
for the State.

Petitioners pray for grant of anticipatory bail in Rajoun P.S.
Case No. 17 of 2013 registered under sections 302, 120(B)/34 of
the Indian Penal Code.

In relation to an occurrence dated 31.05.2012, several weeks
thereafter, a complaint was lodged by the wife of the deceased
which was later treated as an F.I.R. on 11.02.2013. It is alleged
that the accused persons had come to the *darwaja* of the informant
and the deceased had accompanied them to a place. Subsequently
the following morning, the dead body of the deceased was found.
Upon investigation, the police submitted final form (Annexure-2)
stating that the implications of the petitioners are not
substantiated. Differing with the report, the learned Magistrate



took cognizance on 29.01.2016 and hence the apprehension. It is submitted that the petitioners have clean antecedent and is ready to cooperate in the investigation, if granted the privilege of anticipatory bail.

Considering the above, 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, Banka in Rajoun P.S. Case No. 17 of 2013 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 petitioners 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 petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

Pankaj/-

U		T	
---	--	---	--

