

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58524 of 2015

Arising Out of PS.Case No. -9 Year- 2006 Thana -CHAPRA TOWN District- SARAN

1. Chatthu Rai.

2. Mukti Rai @ Mukhti Nath Rai, Both sons of Ram Dayal Rai, Residents of Village- Bichla Telpa, P.S. Chapra Town, District - Saran at Chapra.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Ajay Kumar-I, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 21-01-2016

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of S. Tr. No. 177 of 2015 arising out of Chapra Town P.S. Case No. 09 of 2015, disclosing offences under Sections 147, 148, 149, 323, 307, 337, 379, 504 and 427 of the Indian Penal Code and Section 27 of the Arms Act.

It is submitted on behalf of the petitioners that there are altogether 20 persons named in the First Information Report. The Police, upon completion of investigation, submitted chargesheet against 18 of them and these two petitioners were not chargesheeted. He has submitted that despite the fact that no material was collected in course of investigation, showing involvement of these petitioners in commission of the offence, the learned Magistrate took cognizance and issued processes against

these petitioners. Learned counsel appearing on behalf of the petitioners submits that till date no warrant of arrest against these petitioners have been issued.

In view of the submission as above, this application is allowed.

Let the petitioner, 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 3rd Additional Sessions Judge, Saran at Chapra in connection with S.Tr. No. 177 of 2015 arising out of Chapra Town P.S. Case No. 09 of 2006 and G.R. No. 179 of 2006, 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)

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