

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24555 of 2016

Arising Out of PS.Case No. -32 Year- 2001 Thana -LAUKHA District- MADHUBANI

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1. Prem Lal Sah Dhanraj sah
 2. Amiree Lal Sah alias Amiree Sah, Son of Dhanraj Sah
 3. "Ram babu Sah, @ Ram Prasad Sah Both of sons of Late yadunandan Sah,
 4. Dilip Sah, @ Dilip Kumar sah, S/O Dhanik Lal Sah,
 5. Bikram Sah @ Bikrm Pd. Sah, son of Sita Ram Sah, All are resident of Village-Parsahi, P. S. Khutauna, District Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar
For the Opposite Party/s : Mr. Pranav Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 14-07-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Laukaha (Khutauna) P.S. Case No. 32 of 2001 (G.R. No. 218 of 2001), disclosing offences under Sections 147,341,436,302/34 of the Indian Penal Code.

The petitioners were named in the First Information Report. It appears that the police after investigation came to a conclusion that the informant and his brother were the perpetrators of the crime and, accordingly, submitted charge-sheet against them on 30.04.2002. The informant, thereafter, filed a protest-cum-complaint petition, whereupon, by an order, dated 23.09.2015, the Court below

has taken cognizance and issued summons.

Learned counsel for the petitioners has submitted that since the investigation by the police is complete, no fruitful purpose would be served, if the petitioners are taken into custody.

On perusal of the materials on record, I find some substance in the submission so advised on behalf of the petitioners. This application is, accordingly, allowed. Let the petitioners above-named in the event of their arrest/surrender within four weeks from today in the court below be released 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 the learned ACJM, Jhanjharpur in Laukahe (Kutauna) P. S. Case No. 32 of 2001 (G.R. No. 218 of 2001), 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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