

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10702 of 2017

Arising Out of PS.Case No. -727 Year- 2015 Thana -BANKA District- BANKA

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1. Munna Sah S/o Preeti Sah
2. Matuki Sah S/o Preeti Sah
3. Shakti Sah S/o Matuki Sah All residents of Village : Khaira, P.S. Falka,
District : Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Sinha

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-04-2017 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

The petitioners seek anticipatory bail in a case
instituted for the offence under Sections-302/34 of the Indian
Penal Code.

It has been submitted on behalf of the petitioners that
they are not named in the first information report and the police,
after due investigation, submitted final form against these
petitioners finding no evidence against them. Thereafter,
cognizance has been by the court below on the basis of protest
petition. It is also submitted that petitioners have got no criminal
antecedent. It has further been submitted that other two co-accused



against whom, final form was submitted by the police along with the petitioners, have already been granted privilege of anticipatory bail by a coordinate bench of this court vide order dated 08-02-2017 passed in Cr. Misc. No. 830 of 2017.

Considering the above-said facts and circumstances of the case as well as submission of the parties, this anticipatory bail petition is allowed and it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Banka P.S. Case No. 727 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Banka subject to conditions as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of



the petitioners.

(Sanjay Priya, J)

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