

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26734 of 2017

Arising Out of PS.Case No. -48 Year- 2017 Thana -SANOKHAR District- BHAGALPUR

- =====
1. Basuki Mandal, Son of Mahendra Mandal
 2. Mahendra Mandal, Son of Late Badri Mandal. All resident of Amapur, Police Station- Kahalgaon, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha
For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-07-2017 Counsel for the petitioners is permitted to make

necessary correction in the typed copy of written report.

Heard learned counsel for the petitioners and learned

Addl. Public Prosecutor for the State.

The petitioners apprehend their arrest in Sanokhar
(Amdanda) P.S. Case No. 48 of 2017 instituted for the offence
under Sections-302, 201/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that this
is a case of last seen. There is no allegation of any specific overt
act against these petitioners. It is alleged in the written report that
father of informant went with petitioner No. 2 Mahendra Mandal
and he did not return till night. The informant learnt on search that
dead body of his father is lying in an orchard and thereafter, he



identified the dead body. The informant has raised suspicion against these petitioners. Besides, suspicion, there is no specific allegation of overt act against these petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above in the event of their arrest/surrender in the court below within six weeks from today shall be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each in connection with Sanokhar (Amdanda) P.S. Case No. 48 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Bhagalpur 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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