

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40908 of 2017

Arising Out of PS.Case No. -188 Year- 2017 Thana -BANKA District- BANKA

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1. Subhash Kumar,
2. Vikash Kumar @ Niwas Kumar, Both sons of Rambhajjo Mandal,
Resident of Jhirba, P.S.+District- Banka.
3. Bablu Mandal,
4. Dablu Mandal, Both sons of Kishan Mandal, Resident of Shanti Nagar,
Jhirba, P.S.+District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Niwas Singh

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Banka P.S. Case No. 188 of 2017 instituted for the offence under Sections-353, 437, 427 & other minor Sections of the Indian Penal Code.

It has been submitted that there is general and omnibus allegation against the petitioners. They have clean antecedent.

In the written report, it is alleged that on account of death of a girl in road accident, several people assembled and caused obstruction in the traffic and also set on fire the truck which hit the girl. It is stated in the written report that Dafadar and Chowkidar identified the petitioners and other accused.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six 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) with two sureties of the like amount each in connection with Banka P.S. Case No. 188 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Banka subject to condition 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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