

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32133 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -BANKA District- BANKA

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1. Khalil Ansari, S/o Tahid Mian, Resident of Village- Ekoriya (Korra),
Police Station- Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 20-07-2017 Heard the Counsel for the petitioner and the Counsel for
the informant.

Apprehending his arrest in connection with Banka P.S.
Case No. 43 of 2017 registered under Section 302/34 of the Indian
Penal Code and Section 27 of the Arms Act, the prayer is for grant
of pre-arrest bail.

After placing the F.I.R., it has been submitted that the
petitioner, who is 78 years old, has been purposefully assigned the
role of order giver. There is no allegation of causing injury to the
deceased by the petitioner. It is also submitted that he has no
criminal antecedent.

Considering the allegation and the fact that he is a fairly
old person, I am persuaded to extend the privilege of anticipatory
bail to the petitioner.



In the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in Banka P.S. Case No. 43 of 2017 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) As soon as the charges are framed, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law

(Kishore Kumar Mandal, J)

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