

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33867 of 2017

Arising Out of PS.Case No. -530 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Jaj Singh, Son of Lalbabu Singh,
2. Kalktar Singh, S/o Lal Babu Singh,
Both R/o Village- Phulwar, P.S.- Banjariay, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-08-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Turkauliya
(Banjariya) P.S. Case No. 530 of 2016 instituted for the offence
under Sections 147, 148, 149, 302, 379, 427 of the Indian Penal
Code and Section 27 of the Arms Act.

It has been submitted that these petitioners are alleged
to be the members of unlawful assembly. The other co-accused
persons with similar allegation has been granted anticipatory bail
by this Court vide order dated 22.05.2017 passed in Cr. Misc.
22998 of 2017.

From the written report it appears that on the order of



Banka Singh and Lal Babu Singh, one Pamu Singh shot fire, causing gun shot injury to Heeramati Devi (Bhabo of the informant) who died on the spot.

From the written report itself it appears that petitioners are merely members of unlawful assembly.

Counsel for the informant has appeared and opposed the prayer for anticipatory bail of the petitioners

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Turkauliya (Banjariya) P.S. Case No. 530 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, subject to the conditions as laid down under Section 438 (2) 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.

S.Ali/-

(Sanjay Priya, J)

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