

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35761 of 2017

Arising Out of PS.Case No. -88 Year- 2014 Thana -BARIYARPUR District- MUNGER

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1. NANDAN SINGH @ NANDAN KUMAR SINGH, Son of late Jagarnath Singh, resident of Village Galimpur, P.S. Haveli Kharagpur, District- Munger.
2. Lalu Singh, son of Late Baroon Singh, resident of Village Sampur, P.S. Haveli Kharagpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioners. None appears for the State.

The petitioner apprehends arrest in Bariyarpur P.S. Case No. 88 of 2014 instituted for the offence under Sections-302/34 of the Indian Penal Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioners that the informant has merely levelled vague suspicion against these petitioners of calling her. There is no statement of any witness making specific allegation of overt act against the petitioner. In para-34 of the supplementary case diary, there is mention about the CDR report, which does not show that any talk was made by these petitioners from their mobile with the deceased.

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 in Bariyarpur P.S. Case No. 88 of 2014 to the satisfaction of learned Chief Judicial Magistrate, Munger 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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