

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40558 of 2017

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

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1. Shyam Kumar @ Shyam Kumar Mandal Son of Sugdeo Tanti @ Mandal.
2. Binay Mandal @ Binay Kumar Mandal, Son of Sugdeo Tanti @ Mandal,
Both are Resident of Village-Chutiya, P.S. Banka, District-banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-09-2017 Heard the learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioner apprehend their arrest in connection with Banka
P.S. Case No.188 of 2017 instituted for the offence under Sections
147, 148, 149, 337, 353, 431, 427, 438 of the Indian Penal Code.

In the written report, it is alleged that on account of road
accident several persons including these petitioners have gathered at
the place of occurrence and caused obstruction in the work of the
police party and also put obstruction to remove the dead body. It is
mentioned in the written report that the name of these petitioners and
other accused persons have been disclosed by Chowkidar. As such
there is general and omnibus allegation against these petitioners.

In such circumstances, prayer for anticipatory bail is allowed



and it is ordered that all 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) each 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 tampers 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.

Sanjeev/-

(Sanjay Priya, J)

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