

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50530 of 2017

Arising Out of PS.Case No. -394 Year- 2017 Thana -BANKA District- BANKA

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1. Onkar Pd. Roy, S/o Jyotish Pd. Roy, Resident of Village- Bijayhat, P.S.- Barahat, Distt- Banka.
 2. Jairam Mandal, S/o Late Sahdeo Mandal,
 3. Anuplal Mandal, S/o Sri Satish Mandal,
 4. Gopal Mandal, S/o Jyotish Mandal,
- Petitioner Nos. 2 to 4 are resident of Village- Gajenda, Police Station- Barahat, 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, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Banka (Barahat)

P.S. Case No. 394 of 2017 instituted for the offence under Sections 147, 149, 341, 323, 307, 325, 379 and 506 of the Indian Penal Code.

As per written report these petitioners along with 50 other persons committed *Mar-Pit* with the informant and his brother on account of which brother of the informant sustained injury and Rs.10,000/- cash as well as golden chain was snatched from his possession. In the written report there is allegation that total seven accused persons including the petitioners and fifty others have assaulted brother of the informant with *lathi*.

The injury report has been enclosed as Annexure-2



wherein the Doctor has found two lacerated wound over the person of the injured and opinion has been kept reserved.

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 Banka (Barahat) P.S. Case No. 394 of 2017, 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, Banka, 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.

(Sanjay Priya, J)

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