

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52186 of 2017

Arising Out of PS.Case No. -137 Year- 2017 Thana -KHAJEKALA District- PATNA

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1. Pappu Kumar @ Pappu Chandrebanshi @ Pappu Kumar Chandrebanshi
2. Bablu Kumar Both sons of Ramishwar Prasad Resident of Khajekalan
Ghat, P.S. Khajekalan, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 21-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Khajekalan P.S. Case No. 137 of 2017 instituted for the offence under Sections-302, 201 & other minor Sections of the Indian Penal Code.

It has been submitted on behalf of the petitioners that in the written report, there is allegation that the deceased was assaulted by 25 named accused persons and 50-60 other persons with bricks, stones etc.

The name of these petitioners has been given on the basis of CCTV footage. He has a Gumti near the place of occurrence.

The case diary has been called which has been received.

Counsel for the State has submitted that none of the witnesses has made specific allegation of overt act against these petitioners. The postmortem report is available in case diary wherein the doctor has reserved his opinion about death and various viscera



have been kept preserved.

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 Khajekalan P.S. Case No. 137 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna City, Patna 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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