

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15029 of 2017

Arising Out of PS.Case No. -529 Year- 2016 Thana -KHAGARIA District- KHAGARIA

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1. Prem Kumar , Son of Late Dwarika Prasad.
2. Sujeet Kumar, Son of Prem Kumar.
3. Ajeet Kumar, Son of Prem Kumar. All are Resident of Village- Dan
Nagar, Ward No. - 02, P.S.- Khagaria, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 25-04-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Khagaria P.S.

Case No. 529 of 2016 instituted for the offence under Section-307
& other minor sections of the Indian Penal Code and 27 of the
Arms Act.

It is alleged that on the date of occurrence, while the
informant was getting construction work of house of Roshan
Kumar done, the petitioners and two unknown persons variously
armed began to make firing indiscriminately on account of which,
the informant and labourers fled away. The petitioner No. 2 caught
hold the informant and tried to drag but in the meantime, villagers
assembled and the informant fled away. As per written report, no
one sustained any injury. There is general and omnibus allegation
against the petitioners.

In such circumstances, prayer for anticipatory bail is



allowed it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four 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 Khagaria P.S. Case No. 529 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Khagaria 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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