

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46542 of 2017

Arising Out of PS.Case No. -146 Year- 2016 Thana -CHAND District- BHABHUA (KAIMUR)

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1. Ashok Pandey,
2. Ram Chandra Pandey, Both Son of Late Ram Sakal Pandey, Resident of
Village- Khanaw, P.O.- Manihari, P.S.- Bhabhua, District- Bhabhua at
Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Adv.
Mr. Santosh Kumar Pandey

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Chand P.S. Case No.
146 of 2016 instituted for the offence under Sections-302/120B/34 of
the Indian Penal Code and 27 of the Arms Act.

It is alleged in the written report that three persons on the
motorcycle fired indiscriminately on account of which, brother of the
informant died on the spot. The informant has disclosed the name of the
three persons as Taahlu Pandey, Jayram Pandey and Hareram Pandey.
In the written report, it has also been alleged that 15 days prior to the
occurrence, there was conspiracy and these petitioners have conspired
that they will kill his brother.

In this manner, besides suspicion, there is no other
allegation of specific overt act against the petitioners.



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 Chand P.S. Case No. 146 of 2016 to the satisfaction of learned Judicial Magistrate-Ist Class, Kaimur at Bhabua 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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