

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23013 of 2017

Arising Out of PS.Case No. -257 Year- 2015 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Chhabilal Singh, S/o Late Jagannath Singh,
 2. Krishna Kumar, S/o Rajendra Singh,
 3. Sanjay Kumar, S/o Chandrika Singh,
 4. Bhagat Singh, S/o Late Sunderdeo Singh,
 5. Ragho Kumar @ Raghav Kumar S/o Rajendra Singh,
 6. Arun Kumar, S/o Amerika Singh,
 7. Parma Singh, S/o Kailash Singh, all resident of village- Shishwa Kodar,
P.S.- Paharpur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 18-07-2017

Heard learned counsel for the Petitioners and the
State.

The Petitioners apprehend their arrest in Paharpur
P.S. Case No.257 of 2015 instituted for the offence under
Section(s) 302 Indian Penal Code.

It is alleged in the written report that all these
petitioners strangled the father of the informant by rope and
killed him. It is further alleged that on whispering Gaffar wake up
and saw Chhabilal and Arun stretching the rope while the others
were pressing the father of the informant. Gaffar did not raise
alarm due to fear and fled away and informed the informant.



Case diary has been called for. In the Post Mortem Report, which has been annexed as Annexure-2, it is mentioned that no external injury was found. The doctor found one black spot over right side of neck, but the doctor has stated that there was no subcutaneous haemorrhage in injury behind the black spot. Statement of Gaffar is recorded in para 9, wherein, he has raised mere suspicion against the petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Paharpur P.S. Case No.257 of 2015, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran, 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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