

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32053 of 2017

Arising Out of PS.Case No. -353 Year- 2015 Thana -SAKRA District- MUZAFFARPUR

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1. Shyam Nandan Mishra S/o Hari Nandan Mishra
2. Mina Devi W/o Shyam Nandan Mishra
3. Bambam Mishra @ Sunil Kumar S/o Shyam Nandan Mishra
4. Sarita Kumari W/o Bambam Mishra @ Sunil Kumar All residents of village - Mahmadvpur, P.S. Sakra, District - Muzaffarpur.

.... 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 Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in connection with Sakra P.S. Case No. 353 of 2015 instituted for the offence under Section 302/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that there is general and omnibus allegation against them of assaulting the father on the informant, about one month prior to his death. It is alleged in the written report that on 17.10.2015, the petitioners have assaulted the father of the informant. Thereafter, he got treatment of his father at his house itself on account of poverty and died on 18.11.2015 at 2.30 P.M.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioners named above in the event of his 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 bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Sakra P.S. Case No. 353 of 2015 to the satisfaction of learned C.J.M., Muzaffarpur subject to condition as laid down under Section 438(2) of the Cr.P.C. with further conditions (i) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (ii) petitioners shall co-operate 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 (iii) 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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