

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42928 of 2017

Arising Out of PS. Case No.-58 Year-2015 Thana- KOPA District- Saran

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1. Sunil Pandey,
 2. Naresh Pandey,
 3. Suresh Pandey,
- 1 to 3 are sons of Late Awdhesh Pandey.
4. Prince Pandey, Son of Sunil Pandey,
- All are residents of Village Bareja, P.S.- Kopa, District- Saran.
- Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin ViloChan Tiwary
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-09-2017 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor representing the State of Bihar.

This application, for grant of anticipatory bail, arises out of Kopa Police Station Case No. 58 of 2015, disclosing offences under Sections 147, 341, 323, 324, 354, 448, 379, 504 of the Indian Penal Code.

After having perused the First Information Report and other materials on record, I am of the view that considering the nature of allegation against petitioner no. 4, Prince Pandey, he does not deserve anticipatory bail. This application, so far as petitioner no. 4, Prince Pandey, is concerned, is hereby rejected.

So far as other petitioners are concerned, their application for grant of anticipatory bail is allowed.

Let the petitioner nos. 1, 2 and 3, namely, Sunil Pandey,



Naresh Pandey and Suresh Pandey, in the event of their arrest or surrender before the Court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saran, at Chapra, in connection with Kopa Police Station Case No. 58 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

This is subject to the condition that the petitioner nos. 1, 2 and 3 shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court below on two consecutive occasions, their bail bonds shall be liable to be cancelled.

The petitioner no. 4, Prince Pandey, is directed to surrender before the learned Court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

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