

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47813 of 2017

Arising Out of PS.Case No. -418 Year- 2016 Thana -PATORI District- SAMASTIPUR

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1. GUDDU RAI @ GUDDU KUMAR RAI, Son of Ramdeo Rai,
2. Rajdeo Rai, Son of Ramchandra Rai, Both resident of Village-
Hardaspur, P.S.- Patori (Mohanpur OP), District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Anita Kumari Singh

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Patori P.S. Case No. 418 of 2016 instituted for the offence under Section-302 & other minor Sections of the Indian Penal Code and 27 of the Arms Act.

As per written report, on the order of one, Garvdeo Rai, Binod Rai fired causing injury on the neck of husband of the informant and he died.

Counsel for the petitioners during hearing of the bail petition, has produced Photostat copy of the postmortem report wherein the doctor has found one wound of entry and exit on the person of the deceased. Petitioners are alleged to be members of the unlawful assembly.

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 Patori P.S. Case No. 418 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Samastipur 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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