

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52043 of 2017

Arising Out of PS.Case No. -678 Year- 2015 Thana -DANAPUR District- PATNA

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Akhilesh Rai
Awadhesh Rai, both son of Nand Kishore Rai, Resident of Village Jhakri
Mahadev, P.S. Danapur, Distt. Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Danapur P.S. Case No. 678 of 2015 instituted for the offence under Sections 147, 148, 149, 302 of the Indian Penal Code.

It is alleged that deceased, step son of the informant, was beaten by a mob of about 150 people. Thereafter he was taken to hospital by local people, where he succumbed to the injuries.

It is submitted by the learned counsel for the petitioner that petitioners are not named in the F.I.R. There is General and omnibus allegation against them and they have no criminal antecedent. Investigation is pending against the petitioner.

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 Danapur P.S. Case No. 678 of 2015 to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, Patna 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 petitioner 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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