

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12090 of 2017

Arising Out of PS.Case No. -250 Year- 2016 Thana -DUMRA District- SITAMARHI

Nawal Kishore Sharma, son of Sri Narayan Sharma, Resident of Village-Parori, P.S.- Sitamarhi, District- Sitamarhi.

.... Petitioner/s

Versus

- 1. The State of Bihar.
- 2. The Principal Ram Sewak Singh Mahila College, Sitamarhi under of B.R.A.B.U., Muzaffarpur.

.... Opposite Party/s

with

Criminal Miscellaneous No.5785 of 2017

Arising Out of PS.Case No. -250 Year- 2016 Thana -DUMRA District- SITAMARHI

Indrajeet Singh, Son of late Shyam Nandan Singh, Resident of Mohalla-Kailashpuri, P.S. Dumra District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :
(In Cr.Misc. No.12090 of 2017)

- For the Petitioner/s : Mr. Ravi Ranjan, Advocate
Mr. Sanjeev Kr. Jha, Advocate
- For the Opposite Party No.2 : Mr. Abhay Kumar Sinha, Kunda, Adv.
Mr. Lal Babu Keshari, Advocate
- For the State : Mr. Ajay Kumar-1, A.P.P.

- (In Cr.Misc. No.5785 of 2017)
- For the Petitioner/s : Mr. Shankar Kumar, Advocate.
- For the Opposite Party No.2: Mr. Abhay Kumar Sinha, Kunda, Adv.
Mr. Lal Babu Keshari, Advocate.
- For the State : Mr. Ajay Kumar-1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7 23-08-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Dumra P.S.
Case No. 250 of 2016 instituted for the offence under Sections 420, 406 and 409/34 of the Indian Penal Code.



Case diary has been received in this case.

From perusal of the case diary it appears that investigation is still continuing.

It has been submitted on behalf of the petitioners that one of the co-accused Dr. Upendra Kumar Choudhary has been granted anticipatory bail till submission of charge-sheet vide order dated 10.4.2017 passed by this Court in Cr. Misc. 7433 of 2017.

Learned counsel for the opposite party No. 2 has appeared and submitted that police is not properly investigating the case and up-to-date case diary has not been sent.

Learned A.P.P. has submitted that the case diary has been sent till 17.7.2017.

In such circumstances, the prayer for anticipatory bail of the petitioners is allowed till submission of charge sheet. In event of surrender of the petitioners named above, within four weeks from today, in connection with Dumra P.S. Case No. 250 of 2016, they shall be released on **anticipatory bail till submission of charge-sheet** on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, 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.

The Superintendent of Police, Sitamarhi, is directed to monitor the investigation of this case personally and make efforts to conclude the same within three months.

(Sanjay Priya, J)

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