

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54734 of 2017

Arising Out of PS.Case No. -593 Year- 2017 Thana -BIHTA District- PATNA

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1. Dev Raj Kumar S/o Mathura Singh
2. Prince Kumar @ Prince Kumar Singh, S/o Ganesh Singh Both are
resident of Village- Bishanpura, P.S. Bihta, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bihta P.S. Case No. 593
of 2017 instituted for the offence under Sections-386, 290 & other
minor Sections of the Indian Penal Code.

It has been submitted that petitioners are students. They
have clean antecedent. There is no specific allegation of overt act
against these petitioners.

It is alleged in the written report that these petitioners and
other accused persons on motorcycle created terror by making firing
and taking lethal weapons such as Hockey sticks, sword, pistol etc. It
was allegedly done in retaliation of an incident of killing of one co-
villager, Monu Baba. As such, there is general and omnibus allegation
against the petitioners.

From the written report itself, it is apparent that no injury



was caused to any one.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Bihta P.S. Case No. 593 of 2017 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 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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