

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26705 of 2017

Arising Out of PS.Case No. -102 Year- 2017 Thana -GARKHA District- SARAN

- =====
1. Deen Dayal Rai, son of late Sitab Rai @ Sitab Lal Rai,
 2. Hari Dayal Rai, son of late Jaglal Rai,
 3. Ramesh Rai, son of late Jaglal Rai, all resident of village- Fulwariya,
P.S.- Garkha, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. S. Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 07-07-2017

Heard learned counsel for the Petitioners and the
State.

The Petitioners apprehend their arrest in Garkha
P.S. Case No.102 of 2017 instituted for the offence under
Section(s) 302/34 Indian Penal Code.

As per written report, son of the informant himself
had gone to see Orchestra but did not return. Later on, the
informant learnt that his son has been killed and his dead body
has been thrown behind the school.

The informant has raised suspicion against these
petitioners.

From the written report itself, it appears that besides
suspicion there is no allegation of any specific overt act against



the petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Garkha P.S. Case No.102 of 2017, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, V, Saran at Chapra, 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.

(Sanjay Priya, J)

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