

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 45189 of 2017

Arising Out of PS.Case No. -102 Year- 2017 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

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1. Kira Rai son of Sukhdeo Rai
2. Tunna Rai son of Kira Rai Both residents of Village- Bangri, P.S. Kanti,
District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Alok Kumar Alok, Advocate
For the S t a t e : Mr Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **20-09-2017** Heard learned counsel for the petitioners and the
learned APP for the State.

Petitioners seek bail in a case registered under
Sections 147, 148, 149, 341, 342, 323, 307, 379, 427 and 504 of
Indian Penal Code.

It is submitted by the counsel for the petitioners that
since petitioner No 1 has lodged Kanti Police Station Case No 93
of 2016 in relation to killing of his son. The informant, along with
others, had come to pressurize him in connection with that case as
a result of which Kanti (Panapur OP) PS Case No 87 of 2017 was
lodged against the informant and others prior to the instant case.
He submits that as a result and counterblast of that case, he has
been falsely implicated in this case. He submits that Kanti



(Panapur OP) PS Case No 87 of 2017 and the instant case are arising out of same occurrence. Prior to the instant case, the petitioner has no criminal antecedent and he is in custody since 05.08.2017.

Considering the aforesaid submissions, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate (West), Muzaffarpur in Kanti Police Station Case No 102 of 2017 subject to the following conditions:

- (i) *That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.*
- (ii) *That the petitioners will give an undertaking that they will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.*
- (iii) *That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.*

(Madhuresh Prasad, J)

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