

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47466 of 2017

Arising Out of PS.Case No. -62 Year- 2017 Thana -NATWAR District- SASARAM (ROHTAS)

1. Nitesh Kumar
2. Sonu Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Natwar P.S. Case No. 62 of 2017 instituted for the offence under Sections-302/34 of the Indian Penal Code.

Suspicion has been raised against these petitioners.

As per allegation in the written report, Nati of the informant had gone for work with petitioner No. 1 and other villager Anil Kumar but he did not return. It is further alleged that on 12-10-2017, he was informed that his Nati has boarded train and is coming to village. On 19-07-2017, it was informed by petitioner No. 1 on mobile of Aakash Kumar that Kamlesh died. It is alleged that petitioner No. 2 along with another accused Sonu Kumar brought the dead body of Kamlesh Kumar on tempo to the house of informant.

In this manner, besides suspicion, there is nothing against the petitioners.



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 Natwar P.S. Case No. 62 of 2017 to the satisfaction of Sri Lal Bihari Paswan, learned Judicial Magistrate-Ist Class, Bikramganj, Rohtas 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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