

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58178 of 2017

Arising Out of PS.Case No. -223 Year- 2013 Thana -RAJPUR District- BUXAR

- =====
1. Ansu Rai @ Ashwani Kumar Rai,
 2. Duldul Rai @ Rupesh, both are sons of Ram Pratap Rai, resident of village- Dihari, P.S.- Rajpur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 12-12-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Rajpur P.S.**

Case No.223 of 2013 instituted for the offence under Section(s)
302 and other allied Sections of the Indian Penal Code.

Counsel for the petitioner has submitted that there is allegation of making firing against Guddu Rai, Mantu Rai, Ramesh Rai and Chandan Rai on the brother of the informant and his friend. They are not the petitioner today in this petition. Petitioners are named in the written report at serial nos. 7 and 8. They are alleged to be members of the unlawful assembly. Counsel for the petitioners has submitted that they have apprehension of arrest because they are named in the First Information Report.



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 **Rajpur P.S. Case No.223 of 2013**, 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 **Chief Judicial Magistrate, Buxar**, 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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