

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34600 of 2017

Arising Out of PS.Case No. -601 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Rajesh Kumar @ Rajesh Ram, S/o Vishwanath Ram, R/o Chamarpatti, P.S.- Motihari Town, District- East Champaran.
 2. Vishwanath Prasad S/o late Kedar Prasad, R/o Panch Mandir Chowk, P.S.- Motihari Town, East Champaran.
 3. Madan Prasad S/o Bundela Chaudhary , R/o Puran Chhapra, P.S.- Chakia, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Motihari Town P.S. Case No. 601 of 2016 instituted for the offence under Sections-302, 120B/34 of the Indian Penal Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioners that there is specific allegation of overt act against co-accused Rohit Kumar. The other co-accused with similar allegation have already been granted anticipatory bail by coordinate benches of this court vide orders dated 06-07-2017 & 13-07-2017 passed in Cr. Misc. No. 29648 of 2017 & 31347 of 2017.

From the written report, it appears that there is general and omnibus allegation against the petitioners and specific allegation of



causing fire arm injury to the brother of the informant is against co-accused, Rohit Kumar.

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 Motihari Town P.S. Case No. 601 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (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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