

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11119 of 2017**

Arising Out of PS.Case No. -6 Year- 2017 Thana -GARKHA District- SARAN

- =====
1. Shambhu Ray son of Dinanath Ray,
  2. Bharat Ray son of Dinanath Ray,

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      28-04-2017                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302/201/34 of the Indian Penal Code.

Informant is not an eyewitness of the occurrence and there is delayed reporting of the matter to the police as he was working in the State of Punjab and his wife was mentally slow. Allegation is that the petitioners assaulted to the son of the informant as a result whereof he died. The wife of the complainant has supported the allegation that the petitioners carried to the son of the informant and committed assault and on the next day the son died.

Submission is that earlier case was lodged by the



petitioner side vide Annexure-2 and after death due to illness the dead body of deceased was cremated and just to pressurize false case has been lodged.

Considering the aforesaid fact, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Saran at Chapra/Successor Court in connection with Garkha Police Station Case No.6 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. With further condition that petitioners shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioners in this case.

**(Birendra Kumar, J)**

Mkr./-

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