

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40228 of 2017

Arising Out of PS.Case No. -282 Year- 2016 Thana -BANIAPUR District- SARAN

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1. Bhushan Rai, Son of Late Malik Rai,
2. Laldeo Rai Son of Timal Rai, Both R/o Village- Kamata , P.S.-
Baniyapur, District- saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Baniyapur P.S. Case No.
282 of 2016 instituted for the offence under Sections-302/34 of the
Indian Penal Code.

It is alleged in the written report that co-accused Bittu Rai
caused fire arm injury to the husband of the informant. The informant
has raised suspicion against these petitioners also.

The postmortem report is annexure-2 to this petition
wherein the doctor has found only one injury on the person of the
deceased caused by fire-arm.

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 Baniyapur P.S. Case No. 282 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Saran at Chapra 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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