

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1218 of 2018

Arising Out of PS.Case No. -211 Year- 2016 Thana -CHHATAPUR District- SUPAUL

- =====
1. Shibu Dharikar, son of Shuku Dharkar
 2. Siyaram Sardar, son of Bino Sardar
 3. Sitaram Sardar, son of Bino Sardar
 4. Umesh Thakur, son of Ghonghar Thakur
 5. Dilip Sardar, son of Sitaram Sardar
 6. Shrvind Sardar @ Sharwan Sardar, son of Sitaram Sardar
- All resident of village lalpur, P.S. Chhatapur, Distt. Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 19-02-2018 Heard learned counsel for the petitioners and the State.

It has been submitted that petitioner Nos. 1 and 3 have already been arrested. Therefore, their prayer for anticipatory bail has become infructuous.

Prayer for anticipatory bail of petitioner Nos. 1 and 3 is dismissed as having become infructuous.

So far petitioner Nos. 2, 4, 5 and 6 are concerned, they apprehend their arrest in **Chhatapur P.S. Case No. 211 of 2016** instituted for the offence under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that



petitioners are not named in the written report. Their names have come during further statement of the informant recorded during investigation by the police in paragraph-9 of the case diary.

Case diary has been received.

Learned A.P.P. has read the statement of the informant made in paragraph-9 of the case diary wherein she has merely raised suspicion against the petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner Nos. 2, 4, 5 and 6 namely, Siyaram Sardar, Umesh Thakur, Dilip Sardar and Shrvind Sardar @ Sharwan Sardar is allowed. In the event of surrender/arrest of the petitioner Nos. 2, 4, 5 and 6, named above, within six weeks from today, in connection with **Chhatapur P.S. Case No. 211 of 2016**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Supaul**, 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 their absence on two consecutive dates



without proper and reasonable reason will be liable to cancel their bail bond 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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