IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15262 of 2018

Arising Out of PS. Case No.-434 Year-2017 Thana- GIRIYAK District- Nalanda

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1. Mithun Kumar, S/o Lakhan Tanti,
2. Suraj Kumar S/o Sadan Prasad,
3. Ravi @ Birah Kuar @ Biran @ Biran Kumar S/o Mathura Prasad,
All R/o Village- Mayapur, P.S.- Katrisarai, District- Nalanda.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dhananjay Kumar Tiwary
For the Opposite Party/s : Mr. Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 12-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Giriyak (Katri Sarai) P.S. Case No. 434 of 2017 instituted for the offence under Sections 413,420,467,468,471 of the IPC and Section 66 of the I.T. Act.

Counsel for the petitioners has submitted that name of these petitioners have been taken by the four persons who have been apprehended by the police. There was no recovery of any incriminating article from possession of these petitioners. It has been further submitted that other co-accused persons with similar allegation have already been granted anticipatory bail by this Court vide order dated 28.02.2018 passed in Cr. Misc. No. 12352 of 2018.

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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 bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Giriyak (Katri Sarai) P.S. Case No. 434 of 2017 to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, Nalanda at Bihar Sharif, 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers 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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