

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12626 of 2018

Arising Out of PS.Case No. -104 Year- 2017 Thana -PATORI District- SAMASTIPUR

- =====
1. Vijay Rai, S/o Sakal Rai,
 2. Raj Narain Rai @ Satya Narain Rai, S/o Sakal Rai, both R/o Village-Tara Dhamoun , P.S.- Patory, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 08-03-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Patory P.S.**

Case No.104 of 2017 instituted for the offence under Section(s)

147, 148, 337 Indian Penal Code and Section 3/4 of the Explosives

Substance Act.

Counsel for the petitioners has submitted that petitioners have clean antecedents. Instant case has been filed at instance of local officials because they were hostile with the petitioners and their family members. Brother of the petitioners had filed CWJC No.24888 of 2013 in Hon'ble Court for removing the encroachment from public land, which was disposed off on 11.12.2015, with direction to file representation before the local authority.



From the written report, it appears that there is general and omnibus allegation against the petitioners. There is no injury to any body.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Patory P.S. Case No.104 of 2017**, 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 the **Chief Judicial Magistrate, Samastipur**, 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 bonds 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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