

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42655 of 2017

Arising Out of PS.Case No. -40 Year- 2017 Thana -BEUR District- PATNA

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1. Babloo Rai, S/o Late Loki Rai.
 2. Binesh Kumar, S/o Late Loki Rai.
 3. Shivajee Rai, S/o Late Loki Rai.
 4. Mannu Kumar, S/o Late Loki Rai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur, Advocate
For the Opposite Party/s : Mr. Chandrasen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 04-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Beur P.S. Case No. 40 of 2017** instituted for the offence under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

It has been submitted that petitioner No. 1 namely, Babloo Rai has already been arrested and his prayer for anticipatory bail has been dismissed as withdrawn vide order dated 21.9.2017 passed by a coordinate Bench of this Court.

There is case and counter case between the parties. Petitioner No. 4 has filed Beur P.S. Case No. 39 of 2017 with similar allegation against the informant and his other family members. The instant case is a counter blast of the case filed by the petitioner No. 4.

The injury report of the injured has been enclosed as Annexure-3 series wherein the Doctor has found simple injury on the



person of the injured.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner Nos. 2, 3 and 4 namely, Binesh Kumar, Shivajee Rai and Mannu Kumar, is allowed. In the event of surrender/arrest of the petitioner Nos. 2, 3 and 4, named above, within six weeks from today, in connection with **Beur P.S. Case No. 40 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 learned **Chief Judicial Magistrate, Patna**, 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 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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