

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49836 of 2018

Arising Out of PS.Case No. -179 Year- 2018 Thana -BAKHTIARPUR District- SAHARSA

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1. Pasupati Ray Son of Late Pulkit Ray
2. Most Chunchun Devi Wife of Dilip Ray @ Mantu Ray
3. Bebi Devi Wife of Vidyapati Ray All resident of Village- Baghawa P.S.-
Bakhtiyarpur (Balwa Hat O.P.) District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Bakhtiyarpur (O.P. Balwa Hat) P.S.Case no.179 of 2018 dated 6.5.2018 , registered for offences punishable under Sections 341, 323, 324, 307, 427, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners as per FIR is that one Mannu Ray fired causing injury to the informant and so far these petitioners are concerned, they are named in the FIR.

Submission of the learned counsel for the petitioners is that nothing specific has been attributed against the petitioners and the petitioner no.1 is an old aged person and petitioner nos. 2 and 3



are ladies.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above , let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa in connection with Bakhtiyarpur (Balawa Hat O.P.) P.S.Case No.179 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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