

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12158 of 2018

Arising Out of PS.Case No. -1303 Year- 2012 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

- =====
1. SANJAY SINGH @ SANJAY KUMAR, s/o Ganesh Singh @ Ganesh Prasad Singh,
 2. Dinesh Singh, S/o Late Jamun Singh, Both R/o Village- Amani Mansi, P.S.- Mansi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Gajendra Prasad Sah, S/o Chulhai Sah, R/o Village- Rasauk, P.S.- Morkahi, District- Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP
Mr. Bharat Bhushan, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 09-05-2018

Heard learned counsel for the petitioners and learned

APP for the State as well as counsel for the Opposite Party No.2.

Petitioners apprehend their arrest in **Complaint Case No.1303-C of 2012** instituted for the offence under Section(s) 147, 148, 341, 323, 420, 406, 447, 448, 368, 379 Indian Penal Code and Section 27 of the Arms Act.

Counsel for the petitioners submits that date of occurrence has been mentioned in the Complaint Petition from 17.05.2004 till date. Learned counsel for the petitioners further submits that there is no allegation of specific overt act against these petitioners.



In the Complaint Petition, it is alleged that the accused persons variously armed came to the house of the Complainant. Co-accused, Ganesh, put pistol on the neck of the Complainant and asked to commit loot. Thereafter accused, Sanjay Singh, took away Rs.8000/- cash, old camera, clothes and accused, Dinesh Singh, took away his motorcycle. It is further alleged that co-accused, Fuch Singh and Lucho Singh dragged the Complainant and Ganesh Singh obtained his signature on two blank paper.

There is general and omnibus allegation against the petitioners.

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 **Complaint Case No.1303-C of 2012**, 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 **Judicial Magistrate, 1st class, Khagaria**, 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.

JA/-

(Sanjay Priya, J)

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