

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24419 of 2018

Arising Out of PS.Case No. -97 Year- 2017 Thana -NADI P.S. District- PATNA

- =====
1. Mukesh Kumar,
 2. Sunny Kumar, both sons of Raju Mistry @ Raju Sao, all resident of Mauzipur, P.S.- Nadi, District- Patna, at present tenant of Ramnath Mahto, Chowk Shikarpur, Patna City, P.S.- Chowk, District- Patna.
- Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 25-06-2018

Counsel for the petitioners submits that petitioner

No.2, Sunny Kumar, has already been arrested during pendency of this application.

In view of such, this application is dismissed as having become infructuous in so far as it relates to petitioner No.2-Sunny Kumar.

Heard learned counsel for the petitioner No.1 and learned APP for the State.

Petitioner No.1 apprehends his arrest in **Nadi P.S. Case No.97 of 2017** instituted for the offence under Section(s) 304-B/34 Indian Penal Code.

It has been submitted that petitioner No.1 is Dewar of the deceased.



From the written report, it appears that there is general and omnibus allegation against the petitioner No.1.

In the facts and circumstances of the case, prayer of the petitioner No.1 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the **petitioner No.1**, named above, within six weeks from today in connection with **Nadi P.S. Case No.97 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, V, Patna City**, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner 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 petitioner.

(Sanjay Priya, J)

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