

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25832 of 2018

Arising Out of PS.Case No. -547 Year- 2017 Thana -DANAPUR District- PATNA

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1. Jawahar Rai @ Jawahar Gope, Son of Kuldip Rai,
2. Chhotu Kumar @ Chhotu, S/o Jawahar Rai,
3. Bittu Kumar @ Bittu Son of Jawahar Rai, All resident of
Village/MOhabla- Naya Tola, Saguna, P.S.- Danapur, District- Patna.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jyotsna Rani Mishra

For the Opposite Party/s : Mr. Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 21-06-2018 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Danapur P.S. Case No. 547 of 2017 registered for the offences
punishable under Section 302 and other allied sections of the Indian
Penal Code and Section 27 of the Arms Act.

Petitioners are named in the first information report and it
is specific case of the informant that FIR named accused Prem Ratan
Rai and Arjun Rai opened fire upon the deceased. So far as petitioners
are concerned, no specific overt act has been attributed against them. It
is obvious from perusal of the case diary that investigating officer
submitted charge sheet against four non FIR accused persons. The
investigating officer did not find any evidence against the petitioners



and kept the investigation pending against them.

Learned counsel appearing for the petitioners submits that having similar allegation some co-accused have already been admitted to anticipatory bail by a co-ordinate Bench of this court.

The above stated fact and submission of learned counsel appearing for the petitioners appears to be correct from perusal of Annexure-2 series to the petition as well as para 1 of supplementary case diary.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur in Danapur P.S. Case No. 547 of 2017 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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