

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61004 of 2017

Arising Out of PS.Case No. -261 Year- 2017 Thana -FATUHA District- PATNA

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1. Kamlesh @ Amresh @ Amresh Kumar,
2. Rajesh Kumar, Both Sons of Kedar Rai. Both are residents of Village-
Rikabganj, P.S.- Malsalami, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhanesh Shankar Vidyarthi

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Fatuha P.S. Case No.
261 of 2017 instituted for the offence under Sections-302, 201/34 of the
Indian Penal Code.

Petitioners are named in the written report.

There is allegation that one dead body was found near a
ditch of road which goes to Buddhuchak village.

The case diary has been received in this case.

Learned Sessions Judge has mentioned various paragraphs
in the impugned order.

Learned APP after perusing those paragraphs, has
submitted that besides suspicion, there is no allegation of specific overt
act against these petitioners.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Fatuha P.S. Case No. 261 of 2017 to the satisfaction of Sri Jamin Jamal, learned Judicial Magistrate-Ist Class, Patna City, Patna subject to condition as laid down u/S 438(2) of the 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 cause, will liable to 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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