

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13855 of 2018

Arising Out of PS.Case No. -755 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Birendra Rai @ Virendra Rai Son of Jhapsi Rai,
2. Pramod Yadav Son of Mahesh Prasad Yadav, Both Resident of Village-
Parsauna, P.S.-Turkaulia, District-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Turkaulia P.S.Case No.755 of 2017 , registered for offences punishable under Sections 302, 201 and 120B of the Indian Penal Code.

Allegation against the petitioners as per FIR is that one Bulbul Kumar called the son of the informant and since then he is missing and later on dead body of his son was found lying near Kotwaghat and the petitioners are named in the FIR.

Submission of the learned counsel for the petitioners is that except suspicion there is nothing against the petitioners and one co-accused having similar allegation has been granted privilege of anticipatory bail vide order dated 4.4.2018 passed in cr. Misc. No.11331 of 2018.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances and in view of the fact that another co-accused has been granted privilege of anticipatory bail, 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 C.J.M., East Champaran at Motihari in connection with Turkaulia P.S.Case No.755 of 2017, 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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