

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7723 of 2018

Arising Out of PS.Case No. -442 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Suteli Sah, S/o Bucha Sah,
2. Ram Babu Sah, S/o Shankar Sah,
3. Babu Lal Sah @ Bablu Sah S/o Shankar Sah,
4. Shyam Jeewan Sah, S/o Sathu Sah,

All r/o Village- Singhiya Sagar, P.S.- Banjaria, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate.

For the Opposite Party/s : Mr. Rajeev Nayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-02-2018

Heard learned counsel for the petitioners and the State.

It has been submitted that petitioner No. 1 has already been arrested. Therefore, his application for anticipatory bail has become infructuous.

Prayer for anticipatory bail of petitioner No. 1 is dismissed as having become infructuous.

The petitioner Nos. 2, 3 and 4 apprehend their arrest in **Turkaulia (Banjaria) P.S. Case No. 442 of 2017** instituted for the offence under Sections 147, 148, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

In the written report there is specific allegation of inflicting knife blow on co-accused Deepak Sah. The petitioners are



alleged to be merely members of unlawful assembly.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner Nos. 2, 3 and 4 namely, Ram Babu Sah, Babu Lal Sah @ Bablu Sah and Shyam Jeevan Sah is allowed. In the event of surrender/arrest of the petitioner Nos. 2, 3 and 4, named above, within six weeks from today, in connection with **Turkaulia (Banjariya) P.S. Case No. 442 of 2017**, 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 **learned Chief Judicial Magistrate, East Champaran at Motihari**, 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 bond 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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