

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17356 of 2018

Arising Out of PS.Case No. -244 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Akindar Rai, Son of Late Bindeshwar Rai, resident of Village Banjariya,
 2. Manoj Rai, Son of Nandlal Rai, Resident of Village- Miryashi,
 3. Brijesh Rai, Son of Niranjan Rai, Resident of Village- Kauriya.
 4. Gajendra Rai, Son of Bhikhari Rai, Resident of village- Mangaru Bara, All Police Station- Madhuban, District- East Champaran, Motihari.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-03-2018 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is permitted to make necessary correction in paragraph-1 of the bail petition during course of the day.

The petitioners apprehend their arrest in **Madhuban P.S. Case No. 244 of 2017** instituted for the offence under Sections 144, 188, 341, 435, 353, 427, 504 and 120(B) of the Indian Penal Code.

It is alleged in the written report that Heera Sharma who was working on Electric pole for fixing transformer, was



electrocuted, on account of which, he died. Due to his sudden death, several persons assembled and blocked Banarjula- Sheohar Road with Bamboo and began to close the shops forcibly situated at Malang Chowk to Dak Bunglow Chowk. The petitioners are also named in the written report as the persons agitating in the aforesaid occurrence.

Learned counsel for the petitioners has submitted that other co-accused persons with similar allegation have already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 21.02.2018 passed in Cr. Misc. 8866 of 2018.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Madhuban P.S. Case No. 244 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 Additional Chief Judicial Magistrate-4, Motihari (East Champaran)**, 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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