

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13513 of 2018

Arising Out of PS.Case No. -434 Year- 2017 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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1. Balmiki Prasad, Son of Kesho Prasad.
2. Ambika Prasad, Son of Late Laxmi Prasad. Both are Resident of Village-
Mayapur, Police Station- Katrisarai in the district of Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Giriak (Katrisarai) P.S.Case no.434 of 2017 , registered for offences punishable under Sections 419, 420, 467, 468 and 471 of the Indian Penal Code.

Petitioner is not named in the FIR and later on his name has been disclosed by the other co-accused persons.

Submission of the learned counsel for the petitioners is that except the disclosure of the name by the other co-accused persons, no any article has been recovered and the other co-accused persons having similar allegation have already been granted privilege of anticipatory bail, vide order dated 28.2.2018 passed in Cr. Misc. No.12352 of 2018 by a Co-ordinate Bench of this Court.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, 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 A.C.J.M. 1st, Nalanda at Biharsharif in connection with Giriak (Katrisarai) P.S.Case no.434 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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