

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15270 of 2018

Arising Out of PS. Case No.-187 Year-2017 Thana- BAUNSI District- Banka

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1. Shankar Mandal, S/o Late Kali Mandal,
 2. Kishore Mandal S/o Shankar Mandal, Both are R/o Village- Sarha Bhor, P.S.- Bounsi, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bounsi P.S. Case No. 187 of 2017 instituted for the offence under Sections 341,323,307,504,506/34,302 of the IPC.

It has been submitted that petitioner no. 2 has already been arrested.

Therefore, anticipatory bail petition is dismissed as withdrawn of petitioner no. 2.

In the written report, there is specific allegation of assault of the deceased against co-accused Shambhu Mandal. There is general and omnibus allegation against petitioner no. 1.

Counsel for the petitioners has submitted that other



accused persons with similar allegation has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 17.11.2017 passed in Cr. Misc. No. 54837 of 2017.

In such circumstances, prayer for anticipatory bail is allowed to petitioner no. 1 and it is ordered that the petitioner no. 1, named above, in the event of his 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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bounsi P.S. Case No. 187 of 2017 to the satisfaction of the learned Additional Chief Judicial Magistrate III, Banka, 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) petitioner shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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