

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11578 of 2018

Arising Out of PS. Case No.-273 Year-2017 Thana- MAHUA District- Vaishali

-
1. Ram Jatan Rai, son of Bishnudayal Rai, Resident of Village- Tajpur Bujurg, Police Station- Mahua, District- Vaishali.
 2. Ram Birajan Rai, son of Bishundayal Rai, Resident of Village- Tajpur Bujurg, Police Station- Mahua, District- Vaishali.
 3. Rajiv Kumar, son of Fakira Rai,
 4. Sanjiv Kumar, son of Fakira Rai, Both Residents of Village- Madhaul, Police Station- Mahua, District- Vaishali.
 5. Jaishankar Kumar @ Jaya Rai, son of Ram Jatan Rai, Resident of Village- Tajpur Bujurg, Police Station- Mahua, District- Vaishali.
 6. Babloo Kumar @ Babloo Rai, son of Dilip Rai, Resident of Village- Madhaul, Police Station- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 03-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Mahua P.S. Case No. 273 of 2017 instituted for the offence under Sections 302/34 of the IPC and Section 27 of the Arms Act.

Learned counsel for the petitioners has submitted that there is no eye-witness in this case. In the written report, it is mentioned that there was land dispute between the parties. In the written report, it is alleged that the informant heard the sound of firing and went to the place of occurrence, where father of the



informant used to sleep. He saw his father has sustained bleeding injury due to fire-arm. He also found pistol in the hand of the co-accused Ravishankar Kumar. It has been further alleged that the informant saw these petitioners at the place of occurrence. As such besides suspicion there is no specific allegation of overt act against these petitioners. In the case diary also mere suspicion has been raised against these petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their 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) each with two sureties of the like amount each in connection with Mahua P.S. Case No. 273 of 2017 to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, 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) petitioners 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 petitioners and (3) if the petitioners 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 petitioners.

(Sanjay Priya, J)

khushbu/-

U		T	
---	--	---	--

