

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16625 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -OBRA District- AURANGABAD

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1. Jitan Prasad Gupta @ Jitan Kumar Gupta, S/o Ramjee Prasad Gupta,
2. Ramjee Prasad Gupta, S/o Late Laxman Prasad Gupta,
3. Rajesh Gupta, S/o Mahrai Gupta,
4. Mahendra Gupta, S/o Ashok Prasad Gupta,

All four R/o Obra, P.S. Obra, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-03-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Obra P.S.**
Case No. 8 of 2018 instituted for the offence under Sections 147,
149, 280, 283, 307, 332, 353, 427, 504 of the Indian Penal Code.

In the written report it is alleged that informant on getting information that an accident had taken place in Obra Market in which one person died, rushed to the place of occurrence and found the family members of the deceased creating nuisance. The informant tried to pacify the matter with accused persons as named in the First Information Report, but they attacked on the police party with *lathi, danda*. The co-



accused Manohar Gupta began to snatch service revolver of the informant and co-accused Mahender Gupta sat on the chest of the informant and started pressing his chest with leg. The other co-accused persons blocked the road and assaulted some travelers and damaged the vehicles.

Learned counsel for the petitioners has submitted that petitioners are family members of the deceased who died in road accident.

There is general and omnibus allegation against the petitioners.

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 **Obra P.S. Case No. 8 of 2018**, 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 **Sub Divisional Judicial Magistrate, Daudnagar, in the District of Aurangabad**, 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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