

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37316 of 2018

Arising Out of P.S.Case No. -332 Year- 2018 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

1. Randhir Kumar, S/o Harendra Singh,
2. Chandu Kumar @ Chandan Kumar S/o Sushil Das @ Buttu Das, Both
Residents of Vill.- Rambhadra, P.S.- Town, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
Smt. Rashmi Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-07-2018 Heard learned counsel for the petitioners as well as
the State.

The petitioners apprehend their arrest in Hajipur town
P.S. Case No. 332/2018, instituted for the offence punishable
under Sections 399, 402 and 414 of the Indian Penal Code read
with Sections 25(1-B) a, 26 and 35 of the Arms Act.

Learned counsel for the petitioners has submitted that
in the written report, it is alleged that one Ajit Kumar was arrested
by the police. From his possession a Motorcycle, one country
made pistol and a live cartridge were recovered. He disclosed the
name of the petitioners before the police. Except the confessional
statement of co-accused, there is nothing against the petitioners to
show their involvement in the alleged occurrence. The petitioners



were not present on the spot. They have clean antecedents.

Considering the facts and circumstances of the case, the 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 Hajipur Town P.S. Case No. 332/2018, 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to the conditions as laid down under Section 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 date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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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