

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3661 of 2018

Arising Out of PS.Case No. -128 Year- 2003 Thana -PATORI District- SAMASTIPUR

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1. Manoj Kumar Rai son of Chandradip Rai @ Chandra Dip Pd. Yadav
2. Dilip Kumar Rai @ Dilip Rai son of Shiv Nandan Prasad Rai Both
residents of village Hawaspur, P.S. Patori, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur,
Mr. Nilesh Kumar
Mr. Praveen Kumar

For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-02-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Patori P.S.Case no.128/2003 registered for offences punishable under Sections 302/34 of the Indian Penal Code.

The petitioners are named in the FIR and the case is under Sections 302/34 of the IPC.

Submission of the leaned counsel for the petitioners is that in this case after investigation, the final forma, not finding the case true against them, has been submitted against the petitioners and further recommended for proceeding under Sections 182 and 211 of the IPC, however, the learned C.J.M. differing with the opinion of the Investigation Officer has taken cognizance against the



petitioners.

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 C.J.M., Samastipur in connection with Patori P.S.Case No.128 of 2003, subject to conditions 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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