

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16450 of 2018

Arising Out of PS. Case No.-250 Year-2017 Thana- SHERGHATI District- Gaya

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1. Ram Kumar Mishra
 2. Ramanuj Mishra Both are Sons of Balmukund Mishra Resident of Village- Suggi, P.O. Kubba, P.S. Hunterganj, District- Chatra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Md. Javed Jafar Khan
For the Opposite Party/s :	Mr. Sri Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-04-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Sherghati (Dobhi)
P.S. case no. 250/2017 instituted for the offence under
Section(s) 147, 148, 149, 341, 323, 504, 506, 120(B) and 302 of
the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners has submitted that
there is no any specific allegation made by the informant
against these petitioners in the written report. The learned
Sessions Judge has mentioned in the impugned order that in
paragraph nos. 7, 8 and 9 of the case diary, police has stated



about presence of petitioners on the spot. The learned APP after perusing the case diary also stated that there is no allegation of specific overt act against these petitioners in those paragraphs. These petitioners have been described as supporters of Prem Singh with whom the father of the informant (since deceased) had some altercation. There is no allegation of overt act against these petitioners in the written report.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Sherghati (Dobhi) P.S. case no. 250/2017, 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 A.C.J.M. Sherghati at Gaya 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 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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