

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10155 of 2019

Arising Out of PS. Case No.-57 Year-2018 Thana- BASANTPUR District- Siwan

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1. RAJU KUMAR GIRI Son of Sri Hare Ram Giri Resident of Village - Maghwar, P.S. Zamo Distt, Siwan.
 2. Mannu Jha Son of Ladu Kumar Jha Resident of Village - Fatehpur Tiwary Lodge, P.S. - Siwan, District - Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-02-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Basantpur P.S. Case No. 57 of 2018 for the offence under Section 364/34 of the Indian Penal Code.

There is allegation in the First Information Report that the informant's father had thrown a stone on a bus 'Atul Bihar'. The petitioner No.1 was conductor and petitioner no.2 was *khalasi* of the said vehicle. In retaliation, the accused are alleged to have taken the informant's father away in the bus despite the informant's request not to do so and his explanation that he (the victim) was mentally unsound. It is alleged that the informant's father might have been killed.

Learned counsel appearing on behalf of the



petitioners appears to be correct in his submission that there is no justification for delay of nearly 17 days in lodging of the First Information Report in the background of the nature of the allegation.

Considering the above submission , this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on 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 C.J.M., Siwan in Basantpur P.S. Case No. 57 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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