

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41292 of 2019

Arising Out of PS. Case No.-156 Year-2019 Thana- GAURICHAK District- Patna

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MUNDRIKA RAI @ MUNDRIKA PRASAD SINGH @ MUNARIK RAI
Son of Late Ram Devan Singh Resident of Village-Kazi Bigha, Police
Station-Gaurichak, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyamal Prakash

For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-09-2019 Petitioner seeks bail in anticipation of his arrest in connection with Gaurichak P.S. Case No. 156 of 2019 registered for the offences punishable under Sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, while husband of the informant was coming along with his maternal uncle Bimalendu Singh two miscreants came on a motorcycle having helmets on their heads and fired on her husband, causing his death and his maternal uncle received injuries and he was taken to hospital. It has also been alleged that petitioner and other persons have enmity with respect to land dispute.

Submission of learned counsel for the petitioner is that petitioner is an old person aged 78 years and except suspicion there is nothing against him.

Heard learned APP, who has opposed the prayer for



anticipatory bail stating that Bimalendu Singh is the eye-witness to the occurrence and unless the petitioner appears, the investigation cannot be proceeded without him.

In view of above facts and circumstances and also considering the age of the petitioner, let petitioner, in the event of surrender, be released on provisional bail till submission of charge sheet on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Patna City, in connection with Gaurichak P.S. Case No. 156 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned and further condition is that he has to co-operate in the investigation and appear before police as and when required. It is also made clear that after investigation if charge sheet is submitted against the petitioner with serious incriminating materials also, he has to surrender and pray for regular bail.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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