

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69387 of 2019

Arising Out of PS. Case No.-620 Year-2018 Thana- MANER District- Patna

UPENDRA RAI, aged about 40 years (Male), Son of Late Ram Narayan Rai,
Resident of Village - Nayatola, Goraiya Asthan, P.S. - Maner, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rajani Kumari, Adv.

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation as per FIR is that petitioner and several other persons came variously armed and caught hold of his son and started assaulting him and also fired on him, causing his death.

Learned counsel for the petitioner submits that altogether 11 persons said to have fired and no specific allegation has been attributed to the petitioner and co-accused having similar allegation have already been granted the anticipatory bail by a Co-ordinate Bench of this Court vide order dated 01.04.2019 in Cr. Misc. No. 19513 of 2019 and order dated 05.07.2019 in Cr. Misc. No. 41570 of 2019.

In the aforesaid facts and circumstances of the case, let the



petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.-1st Class, Danapur, in connection with Maner P.S. Case No. 620 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and also subject to the following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers 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 petitioner.

(Anjani Kumar Sharan, J)

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