

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7599 of 2020

Arising Out of PS. Case No.-143 Year-2017 Thana- SARAI District- Vaishali

1. Ranjan Singh, Son of Vinod Singh @ Vinod Prasad Singh, Resident of Kanhauli Gathwal, P.S.- Mahua, District - Vaishali.
2. Chandan Singh @ Chandan Kumar, Son of Late Shatrodhan Singh, Resident of Rampur Rajwari, P.S.- Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-07-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners are apprehending their arrest in connection with Sarai P.S. Case No.143 of 2017 registered for the offence punishable under Sections 147, 148, 149, 341, 353,



427, 337, 203, 504 of the Indian Penal Code and Sections 3, 4 of the Special Services Maintenance Act, 1981.

The F.I.R. alleges that 300-350 persons were blocking the road protesting the murder of one person and claiming *ex gratia* for his death. The petitioners are two amongst 50 named accused persons.

It is submitted by the petitioners' counsel that for the same incident, three F.I.Rs. have been lodged, including the present one. In two other cases, namely, Mahua P.S. Case No.204 of 2017 and Mahua P.S. Case No.205 of 2017, the petitioners were released on bail by the court below itself. It is further submitted that except suspicion, there is nothing on the record to connect the petitioners with the offence.

Learned APP for the State has opposed the prayer for anticipatory bail. It is submitted that the petitioners are named accused.

Considering the rival submissions, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on



furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, XIII, Vaishali, Hajipur, in connection with Sarai P.S. Case No.143 of 2017, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

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