

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7830 of 2020

Arising Out of PS. Case No.-202 Year-2019 Thana- MANER District- Patna

1. SUNIL RAI Son of Ram Avtar Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S.-Maner, District-Patna.
2. Munna Kumar Son of Shri Dhgwan Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S.-Maner, District-Patna.
3. Kunal Kumar Son of Shri Ramavtar Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S.-Maner, District-Patna.
4. Anta @ Akhlesh Rai @ Akhlesh Rai @ Akhilesh Kumar Son of Vinu Rai Resident of Nilkanth Tola, Goraiya Sthan, P.S.-Maner, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 147, 148, 149, 341, 323, 307, 354, 427, 429, 504, 506, 435 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case as per the written report of Bablu Rai submitted to the officer-in-charge is to the effect that on 20.04.2019 at 6:00 A.M., the informant was at his door, in the meantime, petitioners along with FIR named accused



persons armed with weapons came and started firing with intention to kill the informant and his family. It is also alleged that the accused persons outraged the modesty of female members of the house of the informant and set fire the house resulting in damage of properties and other articles..

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case. Similarly placed co-accused have been granted anticipatory bail by co-ordinate bench of this court vide order dated 01.08.2019 passed in Cr. Misc. No. 48025 of 2019. Petitioners have no criminal antecedent.

Learned counsel for the informant has opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Maner P.S. Case No. 202 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-



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

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bond.

(3) If the petitioners 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 petitioners.

(S. Kumar, J)

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