

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20826 of 2021

Arising Out of PS. Case No.-476 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Shakaldeo Prasad Son of Late Kreet Prasad Resident of Village - Dhekaha Fakeera Tola, P.S. - Muffasil, District - East Champaran
 2. Akash Kumar Son of Shri Chumman Prasad Resident of Village - Dhekaha Fakeera Tola, P.S. - Muffasil, District - East Champaran
 3. Bihari Prasad @ Bhikhari Prasad @ Bhikhari Kumar Singh Son of Munilal Prasad Resident of Village - Dhekaha Fakeera Tola, P.S. - Muffasil, District - East Champaran
 4. Chhotelal Prasad Son of Late Sitaram Prasad Resident of Village - Dhekaha Fakeera Tola, P.S. - Muffasil, District - East Champaran
 5. Ishwar Prasad Son of Baidhyanath Prasad Resident of Village - Dhekaha Fakeera Tola, P.S. - Muffasil, District - East Champaran
 6. Vijay Prasad Son of Chandrika Prasad Resident of Village - Dhekaha Fakeera Tola, P.S. - Muffasil, District - East Champaran
 7. Mukhlal Prasad Son of Kauleshwar Prasad Resident of Village - Dhekaha Fakeera Tola, P.S. - Muffasil, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Udbhav, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 29-11-2021 Let the defects, if any, be removed within four weeks
after complete start of the physical Court.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioner No.1 Shakaldeo Prasad, Petitioner No.3



Bihari Prasad @ Bhikhari Prasad @ Bikhari Kumar Singh and petitioner No.4 Chhotelal Prasad have already been arrested. Hence, their prayer for anticipatory bail is infructuous now.

Other petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302/120B of the Indian Penal Code.

Three persons named in the FIR took the father-in-law of the informant. Thereafter, dead body of the father-in-law of the informant was found and suspicion was raised against eight persons including the petitioners to have committed the murder.

Submission is that besides suspicion there is no other material against the petitioners. The petitioners have got no criminal antecedent.

Considering the submission aforesaid, let the petitioners, namely, Akash Kumar, Ishwar Prasad, Vijay Prasad and Mukhlal Prasad, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Motihari Muffasil Police Station Case No.476 of 2020, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

The petitioners shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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