

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34047 of 2023

Arising Out of PS. Case No.-70 Year-2023 Thana- ARA MUFFASIL District- Bhojpur

1. AMAR JEET RAI S/O UMESH RAI R/O Village- Jamira, P.S- Ara Muffasil, Distt.- Bhojpur.
2. Nagendra Kumar S/O Brajesh Rai R/O Village- Jamira, P.S- Ara Muffasil, Distt.- Bhojpur.
3. Prakash Kumar S/O Surendra Rai R/O Village- Jamira, P.S- Ara Muffasil, Distt.- Bhojpur.
4. Ganesh Rai S/O Satish Rai R/O Village- Jamira, P.S- Ara Muffasil, Distt.- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-07-2023 Heard the parties.

The petitioners apprehend their arrest in connection with Ara Muffasil P.S. Case No. 70 of 2023 for the offence punishable under Sections 307, 34 of the I.P.C. and 25 (1-B) a, 26,27,35 Arms Act lodged on 11.02.2023 by the informant Umesh Rai.

As per the prosecution story, they alleged that informant was on morning walk along with his friend and dog, the accused covering their faces by towel were present and it is alleged that Pradeep Rai and Deepak Rai opened fire



causing injury in his hand.

The four petitioners are not amongst them and allegation is against them is omnibus in nature that they also surrounded and resorted to assault.

Learned APP opposes the prayer.

Taking into account the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioners in the event of their arrest or surrender within a period of four weeks from the date of the receipt of the order shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhojpur at Ara, in connection with Ara Muffasil P.S. Case No. 70 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their



bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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