

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66505 of 2022

Arising Out of PS. Case No.-266 Year-2020 Thana- RAXAUL District- East Champaran

1. GOPAL RAI Son of Late Ramadhar Rai Resident of Village - Siswa, Police Station - Raxaul, District - East Champaran.
2. Laxman Rai Son of Late Ramdhari Rai Resident of Village - Siswa, Police Station - Raxaul, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
For the State	:	Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 25-04-2023 Heard both the parties.

2. The petitioners seek bail in anticipation of their arrest in connection with Raxaul P.S. Case No. 266 of 2020, dated 16.07.2020, instituted for the offences under Sections 341, 323, 324, 354, 379, 307, 447, 504 and 34 of the I.P.C.

3. Learned APP for the State opposes the prayer for grant of bail.

4. Learned counsel submits that the petitioner is an old man of 75 years and has been falsely implicated. The petitioner no. 2 is also of 65 years age, and there is no specific averment as against both the petitioners.

5. Having noticed the aforesaid facts, which have also



come on record in the order passed by the of the learned sessions judge, I am inclined to grant anticipatory bail to the petitioners namely, Gopal Rai and Laxman Rai and in the event of arrest, they shall be released on bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., which are held as under:-

(i) The petitioner shall cooperate with the investigation and make himself available for interrogation whenever required.

(ii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer,

(iii) The petitioner shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the police;

(iv) The petitioner shall maintain law and order;

(v) The petitioner shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

(vi) The petitioner shall surrender his passport, if any,



before the investigating officer within a week and, if he does not possess any passport, he shall file an affidavit to that effect before the investigating officer;

(vii) The petitioner shall regularly remain present during the trial and cooperate with the Hon’ble Court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

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