

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30253 of 2014

Arising Out of PS.Case No. -61 Year- 2014 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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1. Abhinandan Thakur @ Guddu Thakur
2. Madhu Mohan Thakur @ Bana Thakur
Both son of Krishnandan Thakur R/o- Village - Jitwarpur Bishanpur, P.S. -
Samastipur (M), District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

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Appearance :

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

For the Opposite Party/s: Mr. Ramshankar Das (Spl. PP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 14-01-2015

Heard learned counsel for the parties as with regard to
prayer for anticipatory bail of the petitioners for offence under
Sections 279, 337, 341, 323, 324, 504, 506/34 of the Indian Penal
Code and under Sections 3(x) of the Scheduled Castes and the
Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel for the petitioners, at the outset, relies
on an order of this Court dated 09.12.2014 in Cr. Misc. No. 29089
of 2014 whereby and whereunder the co-accused Krishnandan
Thakur has been granted anticipatory bail.

Considering the fact that the case of the petitioners is
also almost identical, this Court would also grant anticipatory bail
to the petitioners keeping in view that they have got no criminal
antecedent.



That being so, if the petitioners, namely, Abhinandan Thakur @ Guddu Thakur and Madhu Mohan Thakur @ Bana Thakur, would surrender within a period of four weeks from today, they shall be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Samastipur, in connection with Samastipur (Muffasil) P.S. Case No. 61/2014, subject to the following five conditions:

- (i) That both of the bailors will be the close relatives of the petitioners, who will undertake an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.
- (ii) That the affidavit shall clearly state that the petitioners are not accused in any other case and if they are, they shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioners are implicated in any other case of similar nature after their release in the present



case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

- (iv) That the petitioners will give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.
- (v) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

Sujit/-

(Mihir Kumar Jha, J)

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