

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35764 of 2014

Arising Out of PS.Case No. -59 Year- 2012 Thana -MANIYARI District- MUZAFFARPUR

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1. Janardan Thakur S/o Late Rajendra Thakur
2. Vijay Kumar Thakur S/o Late Rajendra Thakur
3. Amit Kumar Thakur @ Amit Kumar S/o Janardan Thakur
4. Abhijit Kumar Thakur, @ Abhijit Kumar Garg S/o Late Ram Kumar Thakur
5. Tutu Thakur @ Sujit Kumar @ Tuttu Thakur S/o Vijay Thakur
All resident of village- Ratnauli, P.S.- Maniyari, Dist.- Muzaffarpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey
For the Opposite Party/s : Mr. Amit Kumar Rakesh(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 27-03-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 147, 447, 341, 323, 313 and 504 of the Indian Penal Code and that the criminal case was lodged against them initially on the basis of a complaint after 2½ months of the occurrence and the police also in course of investigation has found the case to be not true whereafter the learned Magistrate had taken cognizance by differing with the final form submitted in the case, this Court by taking into account that the petitioners have only one more criminal case against them being Hajipur P.S.Case No. 126/2012, would direct that if the petitioners, namely, 1. Janardan Thakur, 2. Vijay Kumar Thakur, 3. Amit Kumar Thakur @ Amit Kumar, 4.



Abhijit Kumar Thakur @ Abhijit Kumar Garg and 5. Tutu Thakur @ Sujit Kumar @ Tutu Thakur, surrender in the court below within a period of four weeks from today, they shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub-divisional Judicial Magistrate, Muzaffarpur in Maniyari P.S.Case No. 59/2012, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioners who will give 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 bailor shall also state on affidavit that he 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.

(iii) 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.

(iv) That the petitioners will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

surendra/-

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