

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30074 of 2015

Arising Out of PS.Case No. -79 Year- 2014 Thana -RAHIKA District- MADHUBANI

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1. Laddu Thakur @ Budhan Thakur, Son of Late Panchkauri Thakur@
Chandra Shekhar Thakur
2. Chandra Shekhar Mukhiya, son of Late Baboji Mukhiya
Both resident of Village -Sourath , P.S.- Rahika ,District Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan(APP)
For the informant : Mr. Neeraj Kumar alias Sanidh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 15-10-2015 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State and the

learned counsel for the informant.

The petitioners are apprehending their arrest in
connection with Rahika P.S. Case No.79 of 2014 for allegedly
having committed the offences under Sections 341, 323, 379,
384, 504, 506 and 304 of the Indian Penal Code.

Learned counsel for the petitioners submits that
Petitioner Nos.1 and 2 are neighbours and there is a history of
litigation between the parties. Litigation is going on between
the parties with regard to the land, which was sought to be
filled up by *Mitti*. Prior to that, there had also been an incident



in which a case had been lodged by the wife of petitioner No.1 and also by the said Pulkit Ram whose land was sought to be filled up by *Mitti*. The petitioner No.1 had become the victim of the wrath of the informant as he had earlier supported said Pulkit Ram. Learned counsel has also drawn my attention to Annexures 2 and 3, which are earlier cases filed against the informant under Section 354A of the I.P.C and submits that the informant himself is also having criminal antecedents. So far as the criminal antecedent of petitioner No.1 is concerned, the same has been brought on record by the petitioner by way of supplementary affidavit stating that in those cases, which were of the year 2005, 2006 and 2011, the petitioner was already on bail.

Considering the aforementioned facts and circumstances and the submissions advanced by the learned counsel for the informant and the learned counsel for the State, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Ajay Kumar II, learned Judicial Magistrate,

1st Class, Madhubani, in connection with Rahika P.S. Case No.79 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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