

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51180 of 2014

Arising Out of PS.Case No. -93 Year- 2014 Thana -MUSAHRI District- MUZAFFARPUR

Pappu Thakur son of Baldeo Sharma, R/o Village- Chhapramegh, P.S.-
Mushahari, District- Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.51394 of 2014

Arising Out of PS.Case No. -93 Year- 2014 Thana -MUSAHRI District- MUZAFFARPUR

Ram Kishore Sharma @ Bullu Thakur S/o Ramanand Sharma Resident of
Village Chhapra Megh, P.S. Mushahari, District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.51180 of 2014)

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Abhay Kr. Roy(App)

(In Cr.Misc. No.51394 of 2014)

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Anish Chandra (App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 19-05-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for offence under sections 147, 148, 149, 323, 341, 379, 354, 504 and 506 of the Indian Penal Code and that there is a direct allegation of assault by the petitioner Ram Kishore Sharma on the head of the informant and the resultant injury also has been found on the skull of the informant, while this Court is not



inclined to grant anticipatory bail to the petitioner Ram Kishore Sharma @ Bullu Thakur, the case of the petitioner Pappu Thakur would stand on a different footing, inasmuch as whatever allegation has been made against him of making an attempt of outraging the modesty on Bhabhi can definitely be also said to be aftermath of the earlier case filed by the prosecution party.

That being so, the prayer for anticipatory bail of the petitioner Ram Kishore Sharma @ Bullu Thakur is, accordingly, rejected.

If the petitioner, Pappu Thakur, surrenders before the court below within a period of four weeks from today, he shall be released on bail on his furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Anupam Kumari, Judicial Magistrate, 1st Class, Muzaffapur in Mushahari P.S. Case No. 93/2014, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the bailor shall also state on affidavit that

he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his 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 petitioner will give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

surendra/-

(Mihir Kumar Jha, J)

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