

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43116 of 2014

Arising Out of PS.Case No. -36 Year- 2012 Thana -KALUAHI District- MADHUBANI

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1. Kishori Sah son of Nathuni Sah
 2. Sudhir Thakur son of Kabir Thakur
 3. Santosh Safi son of Mahesh Safi all r/o village Haripur Baksi P.S. Kaluahi, Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 21-04-2015 The three petitioners herein have prayed for grant of anticipatory bail in Kaluahi P.S. Case No. 36/2012 registered under sections 341, 379 and 504 IPC and also under diverse provisions of SC/ST Act.

As per the allegation contained in the FIR the informant was surrounded by the accused persons named therein including the petitioner no.1 near a mango orchard. He was abused, assaulted and a sum of Rs.500/- was also snatched from his pocket. On investigation, the police subsequently found some material against the petitioner nos. 2 and 3 also and submitted the charge sheet.

Learned counsel has pointed out that names of petitioner nos. 2 and 3 do not figure in the FIR. However,

subsequently they were also put for trial.

Regard being had to the allegation contained in the FIR, in my view petitioner no. 1 named above does not deserve to be released on bail. His prayer for bail is rejected.

In so far as petitioner nos. 2 and 3 named above are concerned, since they are not named in the FIR and subsequently their names surfaced, this Court is inclined to grant them the privilege of anticipatory bail. Accordingly, in the event of arrest/surrender within four weeks from today, petitioner nos. 2 and 3 above named 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 Chief Judicial Magistrate, Madhubani in Kaluahi P.S. Case No. 36 of 2012 on condition that one of the bailors of each of the petitioners shall be their own/close family members. In the event of framing of charge, they shall appear on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall cancel their bail bonds and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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