

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49801 of 2015

Arising Out of PS.Case No. -88 Year- 2014 Thana -TIKAPATTI District- PURNIA

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1. Bhairav Thakur Son of Sri Nemani Thakur Resident of Village - Mali,
P.S. - Dhamdaha, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv

For the Opposite Party/s : Mr. Akbar Ali(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 05-11-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-467, 468, 471 and 120(B) of the Indian Penal Code, and when this Court would find that co-accused persons namely, Pramod Singh, vide order dated 21.07.2015 in Criminal Miscellaneous No. 26273 of 2015, Chandan Kumar vide order dated 01.10.2015 in Criminal Miscellaneous No. 28470 of 2015, Lal Bahadur Singh vide order dated 22.09.2015 in Criminal Miscellaneous No. 26318 of 2015, Akchhay Singh and Kailash Singh vide order dated



24.07.2015 in Criminal Miscellaneous No. 27520 of 2015 and Savita Devi, Brahmdeo Singh, Ramdeo Singh and Bhairav Kumar vide order dated 14.10.2015 in Criminal Miscellaneous No. 43835 of 2015, have been granted privilege of anticipatory bail on a condition of deposit of sum of Rs. 15,000/-, it would also find the petitioner entitled for privilege of anticipatory bail.

That being so, if the petitioner namely, **Bhairav Thakur**, surrenders within a period of four weeks from today and deposits sum of Rs. 15,000/-, he would be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of **Additional Chief Judicial Magistrate cum Sub Judge-V, Purnea** in connection with **Tikapatti P.S. Case No. 88 of 2014**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

- (i) The amount of Rs. 15,000/- shall be handed over to the informant, Ram Chandra Jaiswal,



but the same shall remain subject to the final outcome of the trial of the petitioner and in the event the petitioner is honorably acquitted, the amount of Rs. 15,000/- shall be handed over by the informant to the petitioner.

(ii) That both the bailors will be 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.

(iii) That the bailor shall also state on affidavit that they 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.

(iv) 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.

(v) 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.

(Mihir Kumar Jha, J)

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