

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50188 of 2015

Arising Out of PS. Case No. -233 Year- 2015 Thana -BAKHTIYARPUR District- PATNA

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1. Bam Thakur
2. Shankar Thakur Both sons of Late Kane Thakur
3. Dipak Thakur @ Dipak Kumar, S/o Arvind Thakur
4. Anita Devi, W/o Ram Thakur
5. Shila Devi, W/o Shankar Thakur
6. Sunita Devi, W/o Arvind Thakur
All resident of village - Nayatola Madhopur, P.S. Bakhtiyarpur, District - Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Madan Prasad Singh No-2, Advocate
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-11-2015 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 307 and 325 read with Section 34 of the Indian Penal Code registered in connection with Bakhtiyarpur P.S. Case No. 233 of 2015.

3. It is submitted that the petitioners including the lady members have been falsely implicated on general and omnibus accusation of assault. There is a case and counter case between the parties. Co-accused Arvind Thakur has been released on bail by the learned Additional Sessions Judge after perusal of the case diary in which it is found that the witnesses have not supported the

allegation of assault with an intention to cause death and the injuries have been found simple in nature.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh in connection with Bhaktiarpur P.S. Case No. 233 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioners shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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