

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7695 of 2015

Arising Out of PS.Case No. -53 Year- 2013 Thana -BISFI (PATAUNA) District- MADHUBANI

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1. Baua Jee Thakur @ Baua Lal Thakur son of Bindeshwer Thakur
 2. Santosh Kumar Sharma @ Santosh Thakur son of Bindeshwer Thakur
 3. Bindeshwer Thakur son of Choudhary Thakur, Resident of village- Parsauni, P.S.- Bisfi (Patauna), District- Madhubani

.... Petitioner/s

Versus

1. 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. Gajendra Prasad Yadav (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 26-02-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 354, 504, 406, 379/34 of the Indian Penal Code and 3(I) (X) of the S.C./S.T. Act.

It is alleged that the informant being the member of Zila Parishad had given Rs. 21,000/- to the petitioner on 07.07.2007 and when it was demanded back then the petitioners tried to assault the informant.

It is submitted by the learned counsel for the petitioners that the money was alleged to be given to the petitioners on 07.07.2007 but the First Information Report was lodged in 2013. There is no proof of payment even assuming

the accusation no offence under Section 379 of the Indian Penal Code is made out. The First Information Report was registered on 24.03.2013 but the same was received before the learned Chief Judicial Magistrate, Madhubani on 25.03.2013 which suggests that First Information Report was registered by ante dating. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M., Ist Class, Madhubani in connection with Bisfi (Patauna) P.S. Case No. 53 of 2013, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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