WEB COPY NOT OFFICIAL

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28771 of 2016

Arising Out of PS.Case No. -79 Year- 2016 Thana -VAISHALI District- VAISHALI(HAJIPUR)

==========

1. Yogi Thakur son of Bhasam Thakur
2. Rajeev Thakur son of Balindar Thakur
3. Awadhesh Thakur son of Yogi Thakur All residents of village- Naudlalpur Police Station- Vaishali, District- Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

==========

Appearance :
For the Petitioner/s : Mr. Devendra Kumar Singh
For the Opposite Party/s : Smt. Sahin Begam

==========

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-08-2016 Heard learned counsel, appearing on behalf of the petitioners, and the learned Additional Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Vaishali P.S. Case No. 79/2016, disclosing offences under Sections 147, 148, 149, 323, 324, 326, 307, 379, 504 and 506 of the Indian Penal Code.

The petitioners belong to the same family. They have been made accused in an occurrence said to have taken place because of family dispute between them and the informant. It is alleged that petitioner no.3 assaulted the informant with sword on his head causing injury. There are allegations against other persons also.

Learned counsel, appearing on behalf of the petitioners, has submitted that the petitioners have no criminal antecedent and it is evident that the occurrence, if any, had taken place because of civil dispute between the family of the petitioners and the informant. He has submitted that no purpose would be served if the petitioners are taken into custody during the pendency of investigation and there is no chance that they would flee from the course of investigation or trial if granted privilege of anticipatory bail.

Considering the above submissions, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S.Case No. 79/2016, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/ Court, as the case may be, as and when required and in the event of failure on

their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

U			

NOT OFFICIAL