

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58408 of 2015

Arising Out of PS.Case No. -142 Year- 2015 Thana -NIRMALI District- SUPAUL

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1. Ranjeet Kumar Thakur Son of Chandeshwar Thakur Resident of village Mahadev Math, Police Station Andhra Math Distt Madubani

2. Ram Kumar Thakur Son of Kusum Lal Thakur Resident of village Darah Police Station Veja Distt Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Jai Narain Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 03-02-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Nirmali P.S. Case No. 142 of 2015 registered for the offence punishable under Section 393 of the Indian Penal Code.

Allegedly, two motorcycle borne miscreants came and asked about the location of National Highway and in the meantime snatched torch from the informant and started assaulting with torch causing injury to the informant resulting, the informant raised alarm and then his family members who have also come with the informant and villagers ran and both the petitioners were caught.

Submissions is of false implication and that nothing

has been recovered from possession of the petitioners, the petitioners were not armed with any weapon, as a matter of fact the petitioners were taking dinner in a hotel near the police station from where they were picked up and implicated in this false case, they have been made accused in Nirmali P.S. Case No. 97 of 2015 under Sections 397 and 411 IPC also and as such the petitioners deserve sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering the period of detention of the petitioners, now they are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Afzal Alam, Judicial Magistrate, Birpur (Supaul) in connection with Nirmali P.S. Case No. 142 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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