

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15946 of 2016

Arising Out of PS.Case No. -174 Year- 2015 Thana -KADWA District- KATIHAR

1. Raja Babu Thakur @ Raja Thakur S/O- Yogendra Thakur, R/o- Kumhri,
P.S.- Kadwa, Distt.- Katihar
2. Uday Choudhary, S/O- Late Rambeen Choudhary, R/O- Dumaria, P.S.-
Prabatta, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 29-06-2016 The certified copy of the First Information Report of Kadwa Police Station Case No. 174 of 2015 has been filed on behalf of the petitioners, let the same be kept on record.

Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Kadwa Police Station Case No. 174 of 2015, disclosing offences under Sections 341, 323, 366A/34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that the allegations in the First Information Report, prima facie,

appear to be absurd and highly improbable inasmuch as the informant herself has stated that she and petitioner no. 1 got married in a temple. It has further been submitted that for ulterior reasons, all family members of the petitioners, including the mother and sisters, have been implicated.

I find some force in the submission advanced on behalf of the petitioners for the purpose of grant of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, namely, Raja Babu Thakur @ Raja Thakur and Uday Choudhary, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, Katihar, in connection with Kadwa Police Station Case No. 174 of 2015, subject to the condition 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.)