

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46969 of 2015

Arising Out of PS.Case No. -286 Year- 2012 Thana -MADHUBANI TOWN District-
MADHUBANI

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1. DHIRENDRA KUMAR THAKUR @ DHIRU THAKUR @
DHIRENDRA THAKUR Son of Late Sheo Shankar thakur Resident of
Village - Lakshmi Sagar Bhouara, P.S.-Town, Dist.-Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Shailendra Kr. 2(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 25-04-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections
302/120B/34 of the Indian Penal Code.

Diary in this case was called for earlier which has since
been received.

Learned counsel for the petitioner submits that the name of
the petitioner surfaced in connection the present case on account
of the fact that there was land dispute between the parties. He
submits that save and except the allegation which is based purely
on suspicion, there is no further material to corroborate the

prosecution version.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that though a few witnesses who have said to have heard about the enmity between the parties, have corroborated the prosecution version. Later on, in paragraph No. 148, the investigation has found the case against the petitioner to be untrue. However, subsequently, in the supplementary case diary on the earlier version of two hear-say witnesses contained in paragraph No. 139, the case has been found to be true against the petitioner.

Considering the contradictory stand taken by the investigation and also because there is land dispute between the parties, there being no criminal antecedent of the petitioner, but learned counsel for the petitioner having fairly submitted that in the two earlier prosecution against the petitioner, one ended in non-submission of the final form against the petitioner whereas, the other was quashed by this Court, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in connection with

Madhubani Town P.S. Case No. 286/12, subject to the conditions
as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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