

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18176 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -MANSURCHAK District- BEGUSARAI

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1. Dhanukdhari Das Son of Late Musaharu Das
 2. Shankar Das Son of Late Ramjee Das
 3. Bodhan Das Son of Late Chhote Das
 4. Bikku Das @ Bku Das @ Dharmdev Prasad Son of Gulab Das
 5. Kedar Ishwar Son of Jagdeep Ishwar
 6. Shambhu Das Son of Late Chhote Das
 7. Indra Devi @ Most. Indra Devi Wife of Mangal Mahto
- All are resident of village - Bhawanipur, P.O. + P.S. + Anchal - Mansoorchak, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nazir Ansari, Advocate

For the Opposite Party/s : Mr. Dasrath Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-04-2016 It is submitted by the learned counsel for the petitioner that petitioner no. 6, Shambhu Das has been arrested and his application has become infructuous.

Accordingly, bail application of petitioner no. 6, Shambhu Das is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 1 to 5 and 7 and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 115, 120B/34 of the Indian Penal Code.

Accusation is of giving life threatening to the

informant being the Mahant of the Thakurbari and realizing Rs. 1,50,000/- in two installments.

It is submitted by the learned counsel for the petitioner nos. 1 to 5 and 7 that accusation is omnibus and general. The petitioners' side at earlier point of time lodged a Complaint Case against the informant since he was trying to grab the land of the Matth. The informant is accused in other cases being Mansoorchak P.S. Case No. 24 of 1991, with accusation levelled under Sections 25(1-B, 1-C)a, 26, 35 of the Arms Act. The villagers have also made complaint before the Superintendent of Police against the informant. 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 nos. 1 to 5 and 7 be released on bail in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Mansoorchak P.S. Case No. 07 of 2016, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bond of the petitioner nos. 1 to 5 and 7 shall be accepted by the learned court below on filing affidavit to the effect that they will cooperate during investigation. The

said affidavit will be transmitted to the concerned I.O. The non-cooperation in the investigation will give liberty to the learned court below to cancel the bail bond of the petitioners.

(Dinesh Kumar Singh, J)

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