

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38979 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -BELDAUR District- KHAGARIA

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1. Umesh Thakur, Son of Late Bino Thakur.
 2. Sifal Thakur, Son of Chano Thakur.
 3. Gulab Chand Thakur, Son of Maheshwar Thakur.
 4. Damodar Thakur, Son of Lakho Thakur.
 5. Bambam Thakur, Son of Gopal Thakur,
- All are R/o Village- Sakrohar, P.S.- Beldaur, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate.
For the Opposite Party/s : Mr. Ahtash Ali Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-09-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Beldaur P.S.

Case No. 26 of 2017 instituted for the offence under Sections 341,
342, 323, 324, 307, 504, 506/34 of the Indian Penal Code and
Section 27 of the Arms Act.

It has been submitted on behalf of the petitioners that

there is general and omnibus allegation against all the accused
persons of assaulting the informant. The injuries found on the
person of the informant were simple in nature caused by hard and
blunt substance. There is land dispute between the parties.



It is alleged in the written report that petitioner No. 1 fired on the informant, but the informant saved himself. Thereafter, other co-accused dragged the informant inside the house and assaulted him with *lathi*, knife etc.

Case diary has been received.

The injury report is available in the case diary wherein the Doctor has found one lacerated wound size 2 cm x 1 cm x skin deep over the head. Besides this, two other injuries are abrasion. All the injuries are described to be simple in nature.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Beldaur P.S. Case No. 26 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Khagaria, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two



consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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