

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37000 of 2017

Arising Out of PS.Case No. -51 Year- 2014 Thana -MADANPURA District- AURANGABAD

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1. Arvind Thakur,
 2. Sheo Prasad Thakur @ Upendra Thakur, both are sons of late Keshav Thakur and are resident of village- Darbhanga, P.S.- Madanpur, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr. Arbind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 23-08-2017

Heard learned counsel for the Petitioners and the learned APP for State.

Petitioners apprehend their arrest in Madanpur P.S. Case No.51 of 2014 instituted for the offence under Section(s) 341, 323, 324, 307, 504/34 Indian Penal Code.

It has been submitted that the police after investigation did not submit charge-sheet against these two petitioners. Subsequently, cognizance has been taken against these petitioners also along with other accused. It has further been submitted that there is counter case filed by the brother of the informant vide Madanpur P.S. Case No.53 of 2014.

In the written report, it is alleged that these petitioners along with other accused persons assaulted the



informant and his brother with *lathi* and *danda*.

The Sessions Judge has mentioned in the impugned order that the injury was simple in nature.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Madanpur P.S. Case No.51 of 2014, they shall be released on anticipatory bail on furnishing bail bond of ` 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, 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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