

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18419 of 2017

Arising Out of PS.Case No. -161 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Amiri Thakur
 2. Mewa Lal Thakur Both S/o Rajnarayan Thakur Both R/o Village-
Jhithiyan, P.S. Mufassil (Lakhaura) District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-05-2017

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Mufassil (Lakhaura) P.S. Case No. 161 of 2016, registered for offences punishable under Sections 147, 148, 149, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

The allegation against the petitioners is that they along with other co-accused persons have surrounded the informant and other co-accused persons ordered to kill the informant on which the co-accused fired which misfired and against these petitioners there is allegation that they snatched the chain from the informant.

It has been submitted on behalf of the petitioners that



there is no allegations of firing against the petitioner and so far the snatching of the chain is concerned, the same is ornamental in nature and the other co-accused have already been granted anticipatory bail by a co-ordinate Bench of this Court on 6.2.2017 in Cr. Misc. No. 5515 of 2017.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that there is no allegation of assault against these petitioners and other co-accused have been granted anticipatory bail by this Court, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in connection with Muffasil (Lakhaura) P.S. Case No. 161 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.



(ii) The petitioners shall not induce any witness or tamper with the evidence.

(iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

S.Pandey/-

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