

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48663 of 2017

Arising Out of PS.Case No. -348 Year- 2016 Thana -SAKRA District- MUZAFFARPUR

- =====
1. Dinesh Thakur, Son of Shambhu Thakur,
 2. Madho Thakur, Son of Late Dhyani Thakur,
 3. Shambhu Thakur, Son of Late Dhyani Thakur,
 4. Shiv Chandra Singh, Son of Late Tapeswar Singh,
 5. Amit Kumar Singh alias Bablu, S/o Rajeshwar Singh,

All are residents of Village- Saraiya, P.S.- Sakra, Distt- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the State : Mr. Sanjay Kumar Tiwary, APP

For the Complainant/Informant : Mr. Hari Kishore Thakur, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 10-11-2017

Heard the parties.

This application, for grant of anticipatory bail, arises out of Sakra P.S. Case No. 348 of 2016 (Trial No. 1506 of 2017), disclosing offences under Section 302/32 of the Indian Penal Code.

The petitioners are accused of an offence punishable under Section 302 read with Section 34 of the



Indian Penal Code. The police, upon completion of investigation, submitted final report, finding it to be a case of no evidence. The court below has, however, taken cognizance on the basis of a protest petition filed on behalf of the complainant-informant.

Learned counsel, appearing on behalf of the petitioners, does not submit that despite there being material available with the police, collected in course of investigation, the police has submitted final report, rather it is the stand on behalf of the complainant-informant that the police failed to conduct the investigation properly and failed even to examine the complainant-informant to take his further statement.

It is, thus, clear that, as on date, no investigation is pending against the petitioners.

Learned counsel for the petitioners has submitted that petitioners shall make themselves available before the Court, as and when required.

Considering the submission, as above, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate-Cum-Sub Judge-13th, Muzaffarpur, in connection with **Sakra P.S. Case No. 348 of 2016 (Trial No. 1506 of 2017)**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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