

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12450 of 2018

Arising Out of PS.Case No. -174 Year- 2017 Thana -KHODABANDPUR District- BEGUSARAI

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1. Shambhu Thakur, son of Gauri Shankar Thakur,
 2. Dharmendra Thakur, son of Radhey Shyam Thakur, both r/o village-Daulatpur, P.S.-Khodabandpur, District-Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 09-03-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Khodabundpur**
P.S. Case No.174 of 2017 instituted for the offence under
Section(s) 147, 148, 323, 353, 379, 427, 335, 325 Indian Penal
Code.

Counsel for the petitioners has submitted that there
is general and omnibus allegation against the petitioners.

In the written report, it is alleged that police received
information that by putting a body on the road, the mob has
obstructed the traffic movement. The informant called the
Chaukidar and reached the place of occurrence and removed the
road blockade upon which this petitioner and other accused
persons, as named in the written report, started shouting slogan



against the administration and also attacked the police party. It is alleged that Amit Ram gave *lathi* blow on the head of the informant and in course of saving a local person received fracture injury in his hand. It is further alleged that Mukesh Mehta and Subodh Mahto tried to snatch the carbine from the possession of police party and also attacked on Hawaldaar Shivnath Yadav causing injury on his head and he fell down.

In this manner, there is no specific overt act alleged against the petitioners.

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 petitioners, named above, within six weeks from today in connection with **Khodabundpur P.S. Case No.174 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 the **Sub-Divisional Judicial Magistrate, Manjhaul at Begusarai**, 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 their



absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds 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.

JA/- **(Sanjay Priya, J)**

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