

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55538 of 2018

Arising Out of PS.Case No. -53 Year- 2018 Thana -JADOPUR District- GOPALGANJ

- =====
1. Shankar Thakur, S/o Late Shyam Lal Thakur,
 2. Bholu Thakur, S/o Shankar Thakur,
 3. Mona Thakur, S/o Shankar Thakur,
 4. Kamal Thakur, S/o Shankar Thakur,
 5. Rekha Devi @ Rekha Thakur, W/o Shankar Thakur, All are R/o Vill. -
Baraipatti, Sadhu Kuwar Ka Tola, P.S. - Jadopur, District - Goapalganj.
- Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharam Veer, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-11-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 447, 307/34 and 302 of the Indian Penal Code.

There is general and omnibus nature of allegation against the petitioners of commission of assault to an old lady as a result whereof she died. The Doctor has found head injury on the deceased which was cause of death. Land dispute is reason for the alleged occurrence.

Submission is that allegation is general and omnibus. Moreover, petitioner no. 5 Rekha Devi @ Rekha Thakur is aged about more than 60 years.



Moreover, petitioner no. 1 and 3 were not sent up by the police for trial. Perused the case diary.

Considering the material against the **petitioner no. 1 to 4, above named**, I am not inclined to enlarge them on anticipatory bail. Hence, their prayer for anticipatory bail is refused.

Taking into special consideration of law for **petitioner no. 5**, who is an old lady, let the **petitioner no. 5 Rekha Devi @ Rekha Thakur**, in the event of her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Jadopur Police Station Case No. 53 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner no. 5 shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner no. 5.

Accordingly, this application stands **disposed of**.

(Birendra Kumar, J)

Kundan/Rajan

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