IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62856 of 2018

Arising Out of PS. Case No.-183 Year-2018 Thana- BELHAR District- Banka

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1. Bhagwan Thakur Son of Late Lilan Thakur, Resident of Village-Bachhour, Police Station-Belhar, Distt.-Banka
2. Chunchun Yadav, Son of Late Jago Yadav
3. Naresh Yadav, Son of Late Jaddu Yadav Both resident of Village-Lalunagar (Bandh Par), Police Station-Belhar, Distt.-Banka
4. Bharat Yadav Son of Late Kusheshwar Yadav
5. Brahmdeo Yadav, Son of late Ucho Yadav
6. Bitthal Yadav, son of late Nanho Yadav Petitioner Nos.4,5,6 Resident of Village Jamuwa, Police Station-Belhar,Distt.-Banka

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Adv, Mr. Lakshmi Sharma, Adv and Mr. Prem Shankar Kumar, Adv
For the O.P. No. 2 : Mr. Rajan Kumar Jha, Adv
For the State : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 06-11-2018 Heard learned counsel for petitioners, learned counsel for the Informant and learned counsel for the State.

Petitioners seek bail in **Belhar P.S. Case No. 183 of 2018** registered for the offences punishable under Sections 147, 148, 149, 323, 325, 504, 506 and 302 of the Indian Penal Code and section 27 of the Arms Act.

Informant in his written complaint has stated that petitioner along with FIR named accused persons variously armed with Khanti, lathi, Bhala and Iron Rod came and

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assaulted him and his family members.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case as there is Title Suit and Probate Case is going on between the parties. It has been submitted on behalf of the petitioners that there is no specific allegation against any of the petitioners rather there is general and omnibus allegation against them. In para 29 of the case diary there is only one injury which is on the mother of the Informant. Petitioners have got no criminal antecedent. Petitioner Nos. 1 and 6 are in custody since 11.07.2018, petitioner no. 2 is in custody since 19.07.2018, petitioner nos. 3 is in custody since 20.07.2018 and petitioner no. 4 is in custody since 01.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-III, Banka**, in connection with **Belhar P.S. Case No. 183 of 2018,** with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial

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and shall be represented on each and every date fixed by the court.

(3) If the petitioners tampers 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.

(S. Kumar, J)

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