

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21556 of 2018

Arising Out of PS.Case No. -3 Year- 2018 Thana -SAKRA District- MUZAFFARPUR

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1. Meena Devi, W/o Late Shashi Shekhar Thakur,
2. Rima Kumari D/o Late Shashi Shekhar Thakur,
3. Ram Bahadur Thakur S/o Late Makeswar Thakur,
4. Ramdahin Thakur S/o Late Makeswar Thakur,
5. Ram Vivek Thakur S/o Late Makeswar Thakur,
6. Munhe Thakur @ Munhe Kumar S/o Late Shashi Shekhar Thakur, All R/o Village- Raini, P.S.- Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pradhan Murali Manohar
Mr. Rajesh Kumar Goswami

For the Opposite Party/s : Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-05-2018 At the very outset, learned counsel for the petitioner has submitted that petitioner no. 5 has already been taken into custody and this application with regard to petitioner no. 5 has become infructuous and he may be allowed to withdraw this application so far petitioner no. 5 is concerned.

Permission is accorded.

This application with regard to petitioner no. 5 is dismissed as withdrawn.

So far other petitioners are concerned, they are apprehending their arrest in connection with Sakra P.S. Case No. 03/2018, registered for offences punishable under Sections 341, 323, 325, 307, 354, 379, 448, 504, 506/34 of the Indian Penal Code.



Allegation against the petitioners is of assault to the informant and his father, causing injuries to them and specific allegation against petitioner no. 6, who assaulted on head of informant by axe, causing grievous injury and other persons entered into the house of informant and torn the sari of wife of informant and one of the accused took away Rs. 25,000/-.

It has been submitted on behalf of the petitioners that only general and omnibus allegation has been levelled and no specific allegation has been attributed, so far petitioner nos. 1 to 4 are concerned. Further there is case and counter case between the parties and land dispute between the parties is from before.

Heard learned A.P.P. also.

Having heard both sides, so far petitioner no. 6 is concerned, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather he should surrender and make prayer for regular bail, which will be considered on the basis of materials available on record.

So far other petitioners are concerned, considering the facts and circumstances of the case, let the petitioner nos. 1 to 4, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate, Muzaffarpur, in connection with Sakra P.S. Case No. 03/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (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 cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

With the above direction and observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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