

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52843 of 2018

Arising Out of PS.Case No. -96 Year- 2018 Thana -BIHRA District- SAHARSA

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1. Mithun Kumar Thakur @ Mithun Kumar Son of Satya Narayan Thakur
 2. Satya Narayan Thakur Son of Late Baba Lal Thakur
 3. Mukesh Kumar Mukhiya @ Mukesh Kumar Son of Lalo Mukhiya All residents of village - Patori, P.S. - Bihra, District - Saharsa.
 4. Subodh Mahto Son of Late Mahendra Mahto resident of village - Bihra, P.S. - Bihra, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-10-2018 Heard learned counsel for the petitioners and learned APP for the State.

At the outset, it is submitted that during pendency of this application, the petitioner No. 1 has already been arrested.

Accordingly, this application with regard to petitioner No. 1 is dismissed as withdrawn.

The rest petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 325, 379, 307, 504, 506 of the Indian Penal Code.

The prosecution case, in brief, is that in course of returning to village Patori by vehicle, near Football ground, all the accused persons having stopped the vehicle, pulled him down and assaulted with iron



and butt of pistol.

It has been submitted on behalf of the petitioner Nos. 2 to 4 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. They have been falsely implicated in the present case. There is case and counter case between the parties. The alleged occurrence is said to have taken place due to petty reason. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner Nos. 2 to 4, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Bihra P.S. Case No. 96 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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