

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23207 of 2018

Arising Out of P.S.Case No. -7 Year- 2015 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Hira Thakur @ Hiralal Thakur, S/o Ganesh Thakur
2. Babulal Thakur, S/o Raghunath Thakur,
3. Anand Thakur, S/o Lalsa Thakur,
4. Krishna Thakur, S/o Late Ganesh Thakur
5. Bullet Thakur, S/o Krishna Thakur, All are resident of Village- Siswa
(Maldahia), P.S.- Paharpur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Paharpur P.S.Case nO.07/15 , registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 379, 307, 504 and 506 of the Indian Penal Code.

Allegation against the petitioners is of assaulting by *lathi* and *danda* to the informant and specific allegation has been attributed against the petitioner no.3.

Submission of the learned counsel for the petitioners is that the land dispute is going on between the parties and a large number of cases is pending between them. Further submission is that no such occurrence has taken place, which will appear from Annexure-2 (series), which is report of the Civil Surgeon,



Motihari as the informant is not appearing before the Board to get him examined.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari in connection with Paharpur P.S. Case nO.07 of 2015, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (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 will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

