

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68919 of 2018

Arising Out of PS. Case No.-102 Year-2018 Thana- TARARI District- Bhojpur

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1. Bharath Thakur S/o Late Bupul Thakur
 2. Pappu Thakur S/o Bharath Thakur Both are resident of Village- Jethwar, P.S. Tarari, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

At the outset, it has been submitted that during pendency of this application, the petitioner No. 2 has been arrested and hence, he seeks permission to withdraw this application against petitioner No. 2.

Permission is granted.

Accordingly, this application with regard to petitioner No. 2 is dismissed as withdrawn.

The petitioner No. 1 apprehending his arrest in a case registered under Sections 341, 323, 324, 307, 384, 420, 354, 380, 120(B) of the Indian Penal Code.

The prosecution case, in brief, is that while the informant went to make payment of mason in newly under constructed shop, he found that the piling of the house was fallen down and two quintals of rods were also found missing. Thereafter, five persons came there



and tried to tie neck with Gamchha.

It has been submitted on behalf of the petitioner No. 1 that there is no allegation of tampering of witnesses alleged against the petitioner No. 1. The petitioner No. 1 has been falsely implicated in the present case. There is case and counter case between the parties. There is land dispute between the parties. None is said to have been injured in course of the occurrence. No offence u/S 307 of the Indian Penal Code is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner No. 1 is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner No. 1, 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX Bhojpur at Ara in connection with Tarari P.S. Case No. 102 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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