

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1819 of 2019

Arising Out of PS. Case No.-255 Year-2018 Thana- BATHNAHA District- Sitamarhi

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1. Dhuplal Thakur, son of Subba Thakur, aged about 50 years (M).
 2. Binod Thakur, son of Dhup Lal Thakur, aged about 30 years (M).
 3. Ram Pratap Thakur, son of Paltu Thakur, aged about 30 years (M).
 4. Suendra Thakur, son of Ram Sresth Thakur, aged about 32 years (M).
 5. Sunil Thakur, son of Ram Pratap Thakur, aged about 25 years (M).
 6. Sushil Thakur, son of Ram Sresth Thakur, aged about 30 years (M).
 7. Nawal Kishore Thakur, son of late Ashrafi Thakur, aged about 35 years (M).
 8. Ram Sresth Thakur, son of Paltu Thakur, aged about 40 years (M).
- All resident of Village Malikana, Brahmpuri, P.S. Bathnaha, Dist. Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Bathnaha P.S. Case No. 255 of 2018 registered for offences under sections 341, 323, 324, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code.

There is a direct allegation of assault against petitioner nos. 7 & 8, namely, Nawal Kishore Thakur and Ram Sresth Thakur respectively. Accordingly, this Court is not inclined to grant privilege of anticipatory bail to them and their prayer for anticipatory bail is rejected. If they surrender before the court below within a period of



four weeks from today and pray for bail, the court below, without being prejudiced by this order, will pass orders in accordance with law.

So far the rest of the petitioner nos. 1 to 6 are concerned, there is no direct allegation against them.

Learned counsel for the petitioners submits that the parties have settled the dispute outside court.

Looking to the entire facts and circumstances of the case as also the nature of allegation against them, let the petitioner nos. 1 to 6, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case No. 255 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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