

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7953 of 2019

Arising Out of PS. Case No.-271 Year-2018 Thana- SAHPUR District- Bhojpur

1. ARUN KUMAR THAKUR @ ARUN THAKUR aged about 30 years, (M)
Son of Shri Ganga Dhar Thakur Resident of Village - Nauranga, Police
Station- Bairya, District- Balia (Uttar Pradesh)
2. Pinku Thakur @ Shiv Prakash Thakur @ Pintu Thakur aged about 32 years,
(M) Son of Late Singhashan Thakur Resident of Village - Nauranga, Police
Station- Bairya, District- Balia (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Sharma
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-02-2019 Heard learned counsel for the parties.

Petitioners seek bail in **Shahpur P.S. Case No. 271 of 2018** registered for the offence punishable under Sections 147, 148, 149, 353, 307 and 384 of the Indian Penal Code and under Section 27 of the Arms Act.

Informant who is a police officer has stated in his written complaint that on a secret information about some criminal variously armed with fire arms were going to Sivapur Hat, he along with other police party proceeded at the said place where they surrounded all of accused person and asked them to surrender but they started firing on them and thereafter fled



away.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. No incriminating material has been recovered from their house or from their possession. It has been further submitted that similarly placed co-accused, Sujit Ray, has been granted bail by co-ordinate Bench of this Court vide order dated 06.02.2019 passed in Cr. Misc. No. 1396 of 2019. Petitioner has got no criminal antecedent and is in custody since 19.11.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate- XIV, Ara, Bhojpur**, in connection with **Shahpur P.S. Case No. 271 of 2018 (G.R. No. 4007 of 2018)**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.



(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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