

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25109 of 2019

Arising Out of P.S. Case No.-9 Year-2019 Thana- JOGAPATTI District- West Champaran

1. SANTOSH THAKUR, aged about 35 years, (Male) Son of Pandit Thakur Resident of Villge- Barwa Siekh, P.S.- Lauriya and District- West Champaran.
2. Guddu Rai @ Ashutosh Rai @ Ashutosh, aged about 42 years (Male), Son of Harendra Kishor Rai Resident of Village- Barwa Siekh, P.S.- Lauriya and District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Mohammed Abu Haidar, Advocate
For the Opposite Party	:	Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 24-07-2019 Heard learned counsel for the petitioners, learned counsel for the Informant and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 384, 385, 504 and 506 of the Indian Penal Code.

The prosecution case in short is that all the accused persons uprooted the bamboos fixed for demarcation and when they were forbade from doing so by the informant's watchman, they hurled abuse and also assaulted the watchman.

It is submitted on behalf of the petitioners that the petitioners have falsely been implicated in this case due to



previous enmity. The said occurrence has taken place on 31.12.2018 and the FIR has been lodged on 05.01.2019 and there is no explanation of inordinate delay of lodging the FIR. It is further submitted that both parties are agnates and petitioners have clean antecedent.

Considering the facts aforesaid, let the petitioners above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on 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, Bettiah, West Champaran/successor Court in connection with Yogapatti (Navalpur) P.S.Case No.09 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Prabhat Kumar Singh, J)

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