

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27161 of 2019

Arising Out of PS. Case No.-942 Year-2018 Thana- FORBESGANJ District- Araria

1. Sanjay Thandar, Male, Aged about 35 years, son of Ramanand Thandar
2. Dinesh Thandar, Male, Aged about 28 years, son of Ramanand Thandar
Both are residents of village- Amhara, P.S.- Forbesganj, District- Araria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Abhijeet Gautam, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-04-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 354B and 506 of the Indian Penal Code registered in connection with Forbesganj P.S. Case No. 942 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. Petitioner no. 1 has also received grievous injury. Injuries sustained by the informant attributed to the petitioner no. 1 are simple in nature while injuries sustained by Dipak Thandar and Raja Kumar Thandar attributed to the petitioner no. 2 have been kept reserved.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let petitioner no. 1, namely, Sanjay Thandar be released on bail and petitioner no. 2, namely, Dinesh Thandar be released on provisional anticipatory bail on furnishing bail



bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 942 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

5. The provisional bail granted to petitioner no. 2 shall be confirmed upon verification by the learned court below that none of the injuries sustained by the informant's side is grievous in nature, failing which his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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