

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29692 of 2019

Arising Out of PS. Case No.-497 Year-2018 Thana- NAUTAN District- West Champaran

1. Ajay Thakur @ Ajey Thakur @ Ajay Sharma (M) aged about 30 years
2. Vijay Thakur (M) aged about 36 years
3. Arjun Thakur (M) aged about 34 years All sons of Sri Yogendra Thakur
4. Phuldeo Thakur @ Phuldeo Sharma (M) aged about 40 years
5. Rameshwar Thakur (M) aged about 41 years Both are sons of Nathuni Thakur
6. Jagarnath Prasad @ Jagarnath Mahto @ Jagranath Mahto (M) aged about 30 years
Son of Parshuram Prasad @ Pashuram Mahto
7. Sabir Ansari @ Satir Mian @ Sabir Mianage (M) aged about 39 years
8. Manish Ansari @ Monish Mian (M) aged about 33 years Both sons of Ahmad
Ansari @ Ahmad Mian
All are residents of Village - Gahiri Gamhariya, P.S.- Nautan, Distt.- West
Champaran (Bettiah).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 10-05-2019 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, 307, 504, 506 and 379 of the Indian Penal Code registered in connection with Nautan P.S. Case No. 497 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. Injuries sustained by injured Singhashan Thakur, Dadan Thakur and Lal Babu Thakur are simple in nature.

4. Having regard to the nature of accusations, gravity of offence alleged and considering the criminal antecedents of petitioner nos. 1 and 4, namely, Ajay Thakur @ Ajey Thakur @ Ajay Sharma



and Phuldeo Thakur @ Phuldeo Sharma against whom two prior cases have been instituted including Nautan P.S. Case No. 293 of 2013 which is of similar nature, this Court is not inclined to grant anticipatory bail to them. The anticipatory bail petition in their respect stands dismissed.

5. As regards petitioner nos. 2, 3, 5, 6, 7 and 8, namely, Vijay Thakur, Arjun Thakur, Rameshwar Thakur, Jagarnath Prasad @ Jagarnath Mahto @ Jagranath Mahto, Sabir Ansari @ Satir Mian @ Sabir Mianage and Manish Ansari @ Monish Mian, in the event of their arrest or surrender before the court below within six weeks from the date of communication of this order, let them be released on 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, Bettiah, West Champaran in connection with Nautan P.S. Case No. 497 of 2018, subject to the conditions as laid down under Section 438 (2) 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.

BT/-

U		T	
---	--	---	--

(Vikash Jain, J)

