

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29338 of 2019**

Arising Out of PS. Case No.-67 Year-2018 Thana- JAGDISHPUR District-
Bhojpur

- =====
1. VIDEO THAKUR @ VIDEO aged about 50 years, male, S/o- Rikhi Thakur Resident of Village- Tikhthi P.S.- Jagdishpur, District- Bhojpur.
 2. Jayprakash Thakur, aged about 30 years, male, S/o- Bahadur Thakur Resident of Village- Tikhthi P.S.- Jagdishpur, District- Bhojpur.
 3. Mangal Thakur S/o- Video Thakur @ Video, aged about 24 years, male, Resident of Village- Tikhthi P.S.- Jagdishpur, District- Bhojpur.
 4. Bindhyachal Thakur @ Vindhyaachal Thakur S/o- Bahadur Thakur aged about 27 years, male, Resident of Village- Tikhthi P.S.- Jagdishpur, District- Bhojpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Rajiva Ranjan, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-05-2019 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, 149, 341, 323, 307, 504 of the Indian Penal Code registered in connection with Jagdishpur P.S. Case No. 67 of 2018.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of past dispute between the parties and for which the accused no. 1 Bahadur Thakur (not a petitioner) had filed Complaint Case No. 347C of 2018 (Annexure-2). The thrust of accusation of assault with iron rod on the head of the informant is on the aforesaid co-accused Bahadur Thakur and no specific injury has been attributed to the



assault by the petitioners with lathi, dunda. The petitioners claim clean antecedents.

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 the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 67 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

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

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

(iii) 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.

(iv) 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.

(Vikash Jain, J)

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