

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66990 of 2018

Arising Out of PS. Case No.-51 Year-2018 Thana- MALI District- Aurangabad

- =====
1. Suryanath Thakur S/o Late Balkeshwar Thakur
 2. Santan Thakur S/o Suryanath Thakur Both R/o Village-Badhara,P.S.
Mali,Distt.-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-01-2019 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 307, 504, 506 IPC registered in connection with Mali P.S. Case No. 51/2018.

3. It is submitted that the petitioners have been falsely implicated and there is case and counter case between the parties relating to a dispute over crops, in which one person of the petitioner's side is said to have been killed. The petitioner claims clean antecedents.

4. Considering that the injuries sustained by Jitendra Kumar Singh attributable to the assault by the



petitioner no. 2 are lethal (Annexure-3), this Court is not inclined to grant the privilege of anticipatory bail to the petitioner no, 2, whose anticipatory bail petition stands dismissed.

5. In view of the injury grievous and lethal sustained by Rajendra Kumar Singh appeared to have resulted from the assault attributable to co-accused Alakhdeo Thakur with khanti, in the event of arrest or surrender of the petitioner no.1 before the court below within six weeks from the date of communication of this order, let the above named petitioner no.1 be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM V, Aurangabad, in connection with Mali P.S. Case No. 51/2018. 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 shall be a close relative of the petitioner no.1.

(ii) That the petitioner no.1 shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner no.1 shall co-operate



with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner no.1 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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