

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79707 of 2018

Arising Out of PS. Case No.-140 Year-2018 Thana- BELDOUR District-
Khagaria

- =====
1. Shyamanand Thakur S/o Late Bhim Thakur @ Bhuneshwar Thakur
 2. Ramanand Thakur S/o Late Bhim Thakur @ Bhuneshwar Thakur
 3. Asha Thakur W/o Ramanand Thakur
 4. Masomat Radha Devi @ Masomat Gulabasiya Devi W/o Late Jogendra Bhagat
 5. Ram Mandal S/o Late Rupan Mandal
 6. Bhola Mandal S/o Ram Mandal
 7. Shiva Mandal S/o Ram Mandal
- All are resident of Village—Mahinathnagar, P.S-Beldour, Distt.-Khagaria.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Praveen Kumar Agrawal, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehends their arrest for the offences alleged under Sections 341, 323, 504, 506, 379, 420, 385/34 of the Indian Penal Code registered in connection with Beldour P.S. Case No. 140 of 2018.

3. It is submitted that the petitioners have been falsely implicated and in any event the dispute between the parties is of civil nature. It is submitted that the judgment in the Title Suit No. 45 of 1985 has been challenged in appeal and the petitioners are in possession of the land in question. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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, Khagaria in connection with Beldour P.S. Case No. 140 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) 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) The petitioner nos. 1,2, 5,6, and 7 shall remain physically present and petitioner no. 3 and 4 shall be well represented 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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