

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70209 of 2018

Arising Out of PS. Case No.-241 Year-2018 Thana- MANJHAGARH District- Gopalganj

1. Amit Thakur @ Amit Kumar Thakur and Anr Son of Rajeshwar Thakur,
2. Dhananjay Mishra, Son of Late Lalan Mishra, Both are residents of Village- Tadawa, Police Station- Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr.Smt. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 28-02-2019 Learned counsel for the petitioners submits that petitioner No.2 has been arrested during the pendency of the petition and as such the anticipatory bail petition of petitioner No.2 has become infructuous and seeks permission to withdraw the same.

2. Permission is granted. The anticipatory bail petition of petitioner No.2 stands dismissed as withdrawn.

3. The petitioner No. 1 apprehends his arrest for the offences under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

4. It is submitted that the petitioner No.1 has been falsely implicated and even according to the averments in the F.I.R., having the offences alleged under Section 307 I.P.C. is



not made out against him. The specific accusation of firing is upon co-accused, Vinay Tiwary and Dhananjay Mishra and the petitioners were made accused in six cases, in which they are on bail.

5. Be that as it may, in the event of the petitioner No. 1 arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner, Amit Thakur @ Amit Kumar Thakur be released on bail on furnishing bail bond on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Manjhagarh P.S. Case No. 241 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C and also subject to the following further condition:

(i) That one of the bailors shall be 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 cooperate 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) That 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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