

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54190 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- THARTHARI District- Nalanda

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1. Bal Kuwar Manjhi, aged about 28 years Gender-male, S/o Sri Paran Manjhi
 2. Dayanand Thakur aged about 26 years Gender-male, S/o Sri Gauri Thakur
 3. Karu Chaudhary aged about 32 years Gender-male S/o Sri Rajenandan Chaudhary
- All are resident of Village- Kariyawan, P.S.- Tharthari, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Pawan Kumar, Advocate
For the Opposite Party : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-08-2019 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, 353, 337, 504 and 34 of the Indian Penal Code registered in connection with Tharthari P.S. Case No. 92 of 2019.

3. It is submitted that the petitioners have been falsely implicated due to village politics as the petitioners and the chowkidar are co-villagers. It is submitted that the petitioners have not been named in the first part of the FIR and only on afterthought, their names have been taken by the chowkidar. From FIR itself it is evident that no serious injuries have been suffered by anyone. 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 bonds of Rs.10,000/- (ten



thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1, Hilsa (Nalanda) in connection with Tharthari P.S. Case No. 92 of 2019, subject to the conditions as laid down under Section 438 (2) of the 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.

(Vikash Jain, J)

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