

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54835 of 2019

Arising Out of PS. Case No.-73 Year-2019 Thana- TELHARA District- Nalanda

1. SONU KUMAR Son of Late Nathun Chaurasiya Resident of Village - Telhara Bazar, Durgasthan, P.S.- Telhara, District- Nalanda
2. Babloo Chaurasiya Son of Subhash Chaurasiya Resident of Village - Telhara Bazar, Durgasthan, P.S.- Telhara, District- Nalanda
3. Jitu Chaurasiya @ Binod Kumar Chaurasiya Son of Late Jagdish Chaurasiya Resident of Village - Telhara Bazar, Durgasthan, P.S.- Telhara, District- Nalanda
4. Bitu Kumar Son of Jitu Chaurasiya @ Binod Kumar Chaurasiya Resident of Village - Telhara Bazar, Durgasthan, P.S.- Telhara, District- Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-09-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Telhara P.S. Case No. 73 of 2019 for the offence punishable under Sections 147, 148, 149, 353, 323, 307, 337, 504 and 332 of the Indian Penal Code.

My attention has been drawn to the order dated 28.08.2019 passed in Cr. Misc. No. 53675 of 2019, whereby similarly situated co-accused persons have been allowed anticipatory bail.

In view of the above, this application is allowed.

Let the petitioners above named, in the event of



their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Hilsa (Nalanda) in Telhara P.S. Case No. 73 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

While allowing anticipatory bail, this Court had observed in order dated 28.08.2019 passed in Cr. Misc. No. 53675 of 2019 that the District Magistrate, will consider as to whether it was a fit case for invoking the provisions of the Bihar Collective Fines (Imposition) Act, 1982. The Court expects that the District Magistrate must have examined the matter in the light of the observations made in the order dated 28.08.2019.

Let a copy of this order be communicated to the District Magistrate, Nalanda forthwith.

(Chakradhari Sharan Singh, J)

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