

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59849 of 2019

Arising Out of PS. Case No.-83 Year-2019 Thana- WARISNAGAR District- Samastipur

1. Harendra Thakur
 2. Ram Pukar Thakur
 3. Prem Chandra Thakur
- All are sons of Late Kapildeo Thakur, resident of village-Mohiuddinpur,
P.S.-Warishnagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Upadhyay
For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Warishnagar P.S. Case No.83 of 2019
registered for offence punishable under sections 323, 467, 468,
420, 379 and 504/34 of the Indian Penal Code.

The petitioners have filed two applications on
affidavit and in first affidavit, they have stated that his brother,
namely, Jai Kishore Thakur has already died and the land has
been mutated in their favour and later on, another application
was filed to the extent that his brother had left the village for
last 35 years.



The learned counsel for the petitioners submits that they would file a proper application with the proper narration of fact that his brother was/is residing in the village, in that view of the matter, the proper mutation should be done.

In view of the undertaking given by the learned counsel for the petitioners, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Samastipur in connection with Warishnagar P.S. Case No.83 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

It is made clear that a proper application should be filed within a period of four weeks from today. In failure to file



the same, the relief granted to the petitioners will be treated to
have been withdrawn and the police will take action against
them in accordance with law.

(Shivaji Pandey, J)

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