

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79751 of 2019

Arising Out of PS. Case No.-505 Year-2019 Thana- BANKA District- Banka

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1. Manohar Thakur, Son of Late Fakir Thakur
 2. Sikandar Thakur, Son of Late Kadru Thakur
Both Resident of Village - Pathro, P.S.- Barahat, Distt.- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 11-12-2019 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners in the present case are seeking regular bail in connection with Banka (Barahat) P.S. Case No.505 of 2019 registered for the offence punishable under Sections 341, 323, 354(B) and 379/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that the petitioners and the informant are own gotiyas and there are general and omnibus allegations against the petitioners.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case



wherein both the parties are gotiyas, the first case being Barahat P.S. Case No.504 of 2019 was lodged by the petitioners' side and thereafter the present case has been lodged, so far as the allegations against these two petitioners are concerned, there is no allegation of assault against them, it is alleged that on the order of the petitioner no.2, petitioner no.1 and others had pull down the informant and torn her blouse, the submission of learned counsel that these are false and frivolous allegations just to falsely implicate the petitioners' side when the informant came to know about lodging of the FIR and that these petitioners have remained in custody since 29.07.2019, the investigation being complete and the petitioners have no criminal antecedent, let the petitioners above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Maigstrate, Banka in connection with Banka (Barahat) P.S. Case No.505 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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