

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72746 of 2019

Arising Out of PS. Case No.-242 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

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1. RAJENDRA THAKUR Son of Late Ramsaran Thakur Resident of Bhachi Ward No. 07, P.S.- Town, Distt - Madhubani.
 2. Sushil Thakur Son of Rajendra Thakur Resident of Bhachi Ward No. 07, P.S.- Town, Distt - Madhubani.
 3. Pawan Thakur Son of Rajendra Thakur Resident of Bhachi Ward No. 07, P.S.- Town, Distt - Madhubani.
 4. Haresh Thakur @ Haresh @ Rajesh Thakur Son of Suraj Thakur Resident of Bhachi Ward No. 07, P.S.- Town, Distt - Madhubani.
 5. Dilip Thakur Son of Suraj Thakur Resident of Bhachi Ward No. 07, P.S.- Town, Distt - Madhubani.
 6. Sudhir Thakur Son of Suraj Thakur Resident of Bhachi Ward No. 07, P.S.- Town, Distt - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kr. Sah, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Town P.S. Case No. 242/2019 registered under Sections 341, 323, 447, 354(B), 379, 341 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners have falsely implicated in this case due to land



dispute between the parties, both the parties are close door neighbours. Learned counsel for the petitioners submits that false and flimsy allegations have been made against petitioner no. 1 that he went to the house of the informant as it is difficult to understand that the petitioner no. 1 who had lodged a complaint case against her would go to her house.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein both informant and the petitioner side are close door neighbour, the petitioner no1. Is said to have filed a complaint case against the informant on 05.06.2019, the present occurrence is said to have taken place on 20.06.2019, but the F.I.R. is being lodged by the informant after 14 days on 04.07.2019 without there being any explanation for the delay and it is the contention of learned counsel for the petitioners that false and flimsy allegations have been made against petitioner no. 1 that he went to the house of the informant as it is difficult to understand that the petitioner no. 1 who had lodged a complaint case against her would go to her house and further that the allegation against the other accused are general and omnibus, let the above-named petitioners, in the event of their



arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhubani, in connection with Town P.S. Case No. 242/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the 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;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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