

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5972 of 2020**

Arising Out of PS. Case No.-172 Year-2018 Thana- KURSAKANTA District-
Araria

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1. JANAK LAL THAKUR S/o Late Jagdish Thakur R/o village- Saurgaon, P.S.-
Kursakanta, District- Araria
 2. Bhupen Thakur S/o Late Jagdish Thakur R/o village- Saurgaon, P.S.-
Kursakanta, District- Araria
 3. Lila Devi W/o Janak Lal Thakur R/o village- Saurgaon, P.S.- Kursakanta,
District- Araria
 4. Bimla Devi W/o Upen Thakur R/o village- Saurgaon, P.S.- Kursakanta,
District- Araria
 5. Most. Sushila Devi W/o Late Jagdish Thakur R/o village- Saurgaon, P.S.-
Kursakanta, District- Araria
 6. Kundan Thakur @ Kundan Kumar S/o Jhanak Lal Thakur R/o village-
Saurgaon, P.S.- Kursakanta, District- Araria

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Gopal Kumar Jha, Advocate.

For the Opposite Party/s: Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the
offences alleged under Sections 147, 149, 341, 323, 324, 325,
354, 504 of the Indian Penal Code registered in connection with
Kursakanta P.S. Case No. 172 of 2018 G.R. No. 2501 of 2018.

3. It is submitted that the petitioners have been falsely
implicated and there is case and counter case between the



parties. The accusation of assault is general and omnibus in nature and so also in respect of outraging the modesty of the daughter-in-law of the informant has not been attributed to any specific accused persons. 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 bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Kursakanta P.S. Case No. 172 of 2018, G.R. No. 2501 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) 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.

(iv) That the petitioner nos. 3,4 and 5 shall be well



represented in Court on each and every date during trial except as and when directed by the learned Court below to be physically present and petitioner nos. 1, 2 and 6 shall remain physically present in Court on each and every date, 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.

(Vikash Jain, J)

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