

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29159 of 2015

Arising out of PS.Case No. -195 Year- 2014 Thana -BIHRA District- SAHARSA

Pradeep Kumar Thakur @ Lallu Thakur, S/o Ram Kumar Thakur, resident of Village Barahsher, Police Station Bihra, District Saharsa.

..... Petitioner
Versus

The State of Bihar

..... Opposite Party

Appearance :

For the Petitioner : Mr. Ravi Shanker Pankaj, Advocate.
For the Opposite Party : Mr. Sanjay Kumar Tiwary(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-07-2015 The petitioner is apprehending his arrest in connection with Bihra P.S. Case No. 195 of 2014 for the offences instituted under Sections 147, 148, 149, 341, 323, 324, 325, 307, 302, 385 and 504 of the IPC.

Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that on the alleged date of occurrence, the informant's uncle Jay Krishna Thakur, who gave his pond to Kesho Mukhiya and Anil Jha on lease and his uncle was about to fish in the said pond then in the meantime, the



F.I.R. named accused persons having weapon and arms in their hands came and objected from them fishing thereafter those persons told that without payment of Rangdari they will not allow him to fish in the pond. It is further alleged that all the accused persons who were armed with Lathi, Danda, Farsa and Iron road assaulted the uncle of the informant and caused grievous injury. Thereafter the injured was brought to hospital for medical treatment with the help of villagers but in course of medical treatment his uncle was declared dead.

It has been submitted on behalf of the petitioner that there is admitted political enmity between the parties and for the said reason the petitioner who was the candidate for the post of Mukhiya in the previous election has falsely been implicated in the present case. It has further been submitted that number of witnesses in course of investigation has doubted the presence of the petitioner at the time of occurrence.

On behalf of the State it has been submitted that there is direct allegation against this petitioner for assaulting the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in Bihra P.S. Case No. 195/2014, pending in the court of the learned J.M. Ist Class, Saharsa. Anyhow, if the petitioner

surrenders in the court below the same shall be considered on its
own merit without being prejudiced by this order.

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(Sudhir Singh, J)

