

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50839 of 2015

Arising Out of PS.Case No. -156 Year- 2015 Thana -BASANTPUR District- SIWAN

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1. Umesh Thakur S/o late Manager Thakur
 2. Lal Babu Thakur S/o late Manager Thakur
 3. Satyendra Thakur S/o late Manager Thakur
 4. Kanwar Thakur S/o late Manager Thakur
 5. Ramji Thakur S/o late Shankar Thakur.
 6. Hans Nath Thakur S/o Ramji Thakur
 7. Kamlesh Thakur s/o Ramji Thakur All resident of Village- laheji, P.s Basantpur ,District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey

For the Opposite Party/s : Mr. Satyavarta Verma (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 10-12-2015 Learned counsel for the petitioners seeks permission to withdraw the application of petitioner no.4, since during the pendency of this application, he has been arrested.

Such permission is accorded.

Accordingly, the application of petitioner no. 4, Kanwar Thakur, is dismissed as withdrawn.

Heard learned counsel for the petitioners no. 1 to 3 and 5 to 7, learned A.P.P. for the State and learned counsel for the Informant.

The petitioners apprehend their arrest in connection

with Basantpur P.S. Case No. 156 of 2015 registered under Sections 147, 341, 323, 324, 207 and 504 of the Indian Penal Code.

The allegation of the informant Arjun Kumar is that on 15.08.2015, in the morning his mother was cooking the meal in kitchen, at that time, petitioner no.1 Umesh Thakur threw water in the kitchen, on which his mother made protest. Thereafter, all the petitioners armed with stick and lathi started to assault his father Chunilal Sah and when his sister-in-law Mamta Devi and Suganti Devi rushed to save then they were also assaulted.

Learned counsel appearing on behalf of the petitioners submits that earlier, wife of petitioner no.5 Ramji Thakur has filed Title Suit No. 216 of 2010 for the land dispute, which is pending in the Court of Sub-Judge, 4th, Siwan against the father of the informant and others. Due to that reason with a view to grudge and enmity, this present case has been lodged to implicate the whole family members. It is also submitted that all the injuries found on the person of the injured, except injury no.2 of Chunilal Lal Sah on left side of back, opinion for which is reserved is simple in nature.

Learned counsel appearing on behalf of the informant opposed the prayer of the petitioners for grant of

anticipatory bail.

Having considered the facts and circumstances of the case, let the above named petitioners, except petitioner no. 4, be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Siwan in connection with Basantpur P.S. Case No. 156 of 2015 subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J.)

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