

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46669 of 2014

Arising Out of PS.Case No. -177 Year- 2014 Thana -BAJPATTI District- SITAMARHI

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1. Vijay Kumar Thakur @ Vijay Thakur.
 2. Ajay Thakur.
Both Sons of Bishwanath Thakur.
 3. Vikash Thakur, Son of Manoj Thakur.
 4. Rupesh Thakur, Son of Vijay Thakur @ Vijay Kumar Thakur.
All R/o village- Mahammadpur, P.S.- Bajpatti, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate.
For the Opposite Party/s : Mr. Dashrtah Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 14-05-2015 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Bajpatti P.S. Case No.177 of 2014 registered under Sections 448,
341, 323, 354, 504, 506 and 379/34 of the Indian Penal Code.

The accusation is that the petitioners, Vikash Thakur and
Rupesh Kumar, reached at the door of the informant, Ajmeri
Khatoon, and made query about her father. When the informant
came out of the house, they pulled down her Dupatta by catching
her hands. When the informant raised alarm, they gagged her
mouth and assaulted her with fists and slaps causing injury on her



head, back, stomach, chest and hand. At that time, Laila Khatoon and Hajrat Khatoon, respectively mother and sister of the informant reached there and they were assaulted by the petitioners, Vijay Thakur and Ajay Thakur by fists and slaps causing injury on different parts of their body and the pregnancy of three months of the sister of the informant may be aborted on account of that assault. At that time, the petitioners also snatched the gold ornaments of the mother of the informant. On account of assault she became unconscious and was taken to the Sadar Hospital and on regaining consciousness, she gave her fardbeyan.

Learned counsel appearing on behalf of the petitioners submits that the petitioner nos.1 and 2 are full brothers and petitioner no.3 is the nephew of the petitioner nos.1 and 2 whereas petitioner no.4 is the son of petitioner no.1 and they have falsely been implicated in this case with an ulterior motive. In fact, she-buffalo of the father of the informant was grazing crops in the field of the petitioners and on the protest being made by the petitioner, there was hot exchange of words from both sides regarding which the petitioner no.1 lodged the Complaint Case No.358 of 2014 in the court of Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi, against the husband and other family members of the informant and in retaliation the informant lodged the present

case against the petitioners with false and concocted story.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within four weeks, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Sitamarhi, in connection with Bajpatti P.S. Case No.177 of 2014, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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