

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15269 of 2016

Arising Out of PS.Case No. -283 Year- 2014 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

Amresh Thakur, Son of Late Sanjay Thakur, Resident of Village - Raitola,
Radhia, P.S. - Gobindganj, District - East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Singh, Advocate.

For the Opposite Party : Mr. Arun Kumar (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 06-05-2016 Heard both sides.

The petitioner apprehends his arrest in Gobindganj P.S.
Case No. 283 of 2014, registered for the offences punishable
under Sections 323, 448, 504, 379 and 34 of the Indian Penal
Code. Later on, Section 307 of the Indian Penal Code was added.

The informant alleged that Amresh Thakur, the
petitioner and Sanjay Thakur having armed with Lathi and Bhala
came and assaulted her father-in-law causing cut injury on his
head. The accused persons also assaulted the informant.

It is submitted that the petitioner and informant are co-
sharers. On account of land dispute the occurrence took place.
There is nothing on record to show that Motar Thakur got grievous
injury. The opinion with regard to nature of injury is obtained after

eight months of the occurrence. Motar Thakur, the father-in-law of the informant was never assaulted with Lathi. Co-accused Sanjay Thakur has already been granted regular bail. There is omnibus allegation against both the accused persons.

Considering the facts that Motar Thakur the father-in-law of the informant got grievous injury on his head, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders before the court below, the court below shall consider the prayer for regular bail of the petitioner taking into consideration that the case of the petitioner stands on same footing as that of Sanjay Thakur who has already been granted regular bail and dispose of the same on the same day.

(Prabhat Kumar Jha, J.)

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