

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34975 of 2016**

Arising Out of PS.Case No. -245 Year- 2015 Thana -GHORASAHAN District-  
EASTCHAMPARAN(MOTIHARI)

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Narad Thakur, Son of Raghu Thakur, resident of Village- Sunderpur, P.S.-  
Ghorasahan (Jharokhar) District- East Champaran, Motihari.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anang Mohan Sinha, Advocate.  
For the Opposite Party/s : Mr. Sri Ahmad Ali, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      07-09-2016      Heard learned counsel for the petitioner and learned A.P.P.  
  
for the State.

The petitioner apprehends his arrest in connection with  
Ghorasahan (Jharaokhar) P.S. Case No. 245 of 2015, G.R. No.  
1090 of 2015 for the offences alleged under Sections  
147,148,149,341,323,504,506, 354A, 380,307 and 448 of the  
Indian Penal Code.

The prosecution case is that the accused persons being  
agnates of the informant came variously armed and started  
keeping bricks on the land of the informant and when the  
informant's son made protest then petitioner No. 1 and his wife  
started abusing then on the order of petitioner No. 1, co-accused  
Narad Thakur caught the son of the informant and caused injury

with bricks on the abdomen, chest of the son of the informant. Co-accused Upendra Thakur started abusing the female members of the informant and tried to outrage the modesty of informant's wife.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the present case due to land dispute between the parties. He submits that there is a counter case lodged by the petitioner's side bearing Ghorasahan (Jharokhar) P.S. case No. 246 of 2015 for similar incident on the same day in which both sides received injuries. He submits that the other co-accused have been granted privilege of anticipatory bail in Cr. Misc. No. 3250 of 2016 dated 20.01.2016 and Cr. Misc. No.2714 of 2016 dated 18.01.2016 as well as in Cr. Misc. No. 7497 of 2016 dated 15.03.2016 on similar allegation. He submits that FIR has been lodged after delay of eight days and no plausible reason has been explained for the delay. He further submits that the petitioner has no criminal history as is evident from Para 3 of this application.

However, learned APP for the State submits that the petitioner is named in the FIR, hence, opposes the prayer for bail.

Be that as it may, let the petitioner, above named in the event of his arrest / surrender before the learned court below

within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran in connection with Ghorasahan (Jharokhar) P.S. Case No. 245 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

**(Nilu Agrawal, J)**

Prakash/-

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