

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48415 of 2016

Arising Out of PS.Case No. -7 Year- 2013 Thana -LAKHNAUR District- MADHUBANI

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Pawan Kumar Thakur @ Pawan Thakur, son of late Dinesh Kant Thakur @
Tuntun Thakur, resident of village and P.S.-Lakhnour, District-Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 16-12-2016 Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Lakhnour P.S. Case No. 7 of 2013 (G.R. No. 134 of 2013, T.R.
No. 163 of 2016) registered for the offences punishable under
Sections 341, 323, 504, 379 and 353 of the Indian Penal Code.

Allegedly, the petitioner being the husband of the
Mukhiya assaulted the informant, Panchayat Secretary, pressed
his neck resulting he fell down, thereafter, snatched his bag
containing cash of Rs. 50,000/- and other papers and further,
caused threats to kill him.

Submission is of false implication and that after
completing investigation, charge-sheet has been submitted only
under Sections 341, 323, 353 and 504 of the Indian Penal Code



and the allegation under Section 379 of the Indian Penal Code has not been found true. No such occurrence has taken place in the manner as alleged, on account of dishonest action of the informant, the wife of the petitioner has been making various complaints against him to the superior officers time to time. One such complaint was sent to the Collector, Madhubani, copies of which were also sent to the Secretary, Government of Bihar, Patna, Principal Secretary, Department of Panchayat Raj, Patna, Principal Secretary, Department of Rural Development, Patna, Deputy Development Officer, Madhubani, District Panchayat Raj Officer, Madhubani, Sub Divisional Officer, Madhubani and Block Development Officer, Lakhnour on 23.01.2013 i.e. more than three weeks prior to lodging this case and on that complaint, District Panchayat Raj Officer, Madhubani asked a report regarding action of the informant from the Block Development Officer, Lakhnour. The informant being annoyed has lodged this false case and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this Court is not inclined to grant privilege of pre-arrest bail to him



and accordingly, his such prayer stands rejected in connection with Lakhnour P.S. Case No. 7 of 2013 (G.R. No. 134 of 2013, T.R. No. 163 of 2016) pending in the court of learned Additional Chief Judicial Magistrate, Jhanjharpur, District-Madhubani.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered preferably on the same day on its own merit without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

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