

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46502 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -KUMARKHAND District- MADHEPURA

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1. Bechan Thakur, Son of Late Ghutar Sharma,
2. Dilip Thakur, S/o Dharmendra Thakur, Both resident of Village-
Gadhiya, Ward No. 10, P.S.- Kumarkhand, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

5 16-11-2017 Heard both sides.

The petitioners apprehend their arrest in Kumarkhand
P.S. Case No.73 of 2017 under Sections 380, 427, 323 and other
Sections of the Indian Penal Code.

The informant named the petitioners along with the
other accused persons and alleged that about 10 persons including
the petitioners came and indiscriminately assaulted his father and
uncle.

The learned counsel for the petitioners submits that no
specific allegation is made against the petitioners. Petitioners,
Bechan Thakur is alleged to have armed with pistol and Dilip
Thakur is alleged to have armed with spear. The Circle Officer



granted basket purcha on the lands of the informant but informant wanted to dispossess the petitioners that is why the occurrence took place. Hence, the petitioners may be enlarged on anticipatory bail.

The learned Additional P.P. as well as the learned counsel for the informant vehemently opposed the prayer for anticipatory bail.

The informant made specific allegation that the petitioner came to the land of the petitioner and indiscriminately assaulted Rameshwar Thakur, the father of the informant and Bindeshwari Thakur, the uncle of the informant. Rameshwar Thakur got as many as four injuries which are grievous in nature. Bindeshwari Thakur also got as many as three injuries including the injury on head but the injuries are opined simple in nature.

Considering the facts that the petitioners assaulted both the brothers, Rameshwar Thakur and Bindeshwari Thakur indiscriminately and the fact that Rameshwar Thakur got grievous injuries, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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