

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18263 of 2017**

Arising Out of PS.Case No. -198 Year- 2016 Thana -BASOPATTI District- MADHUBANI

- =====
1. Ram Udesb Thakur s/o Bindeshwar Thakur
  2. Satish Thakur @ Satish Kumar Thakur s/o Ram Udesb Thakur
  3. Ajay Thakur @ Ajay Kumar Thakur @ Ajay Kumar s/o Ram Udesb Thakur
  4. Bijay Thakur s/o Ram Udesb Thakur
  5. Mangal Thakur (wrongly mentioned in F.I.R. as Mandal Thakur) s/o Bindeshwar Thakur
  6. Pappu Thakur s/o Mangal Thakur
  7. Babloo Thakur s/o Mangal Thakur
  8. Chandan Thakur @ Chandan Kumar Thakur s/o Hari Narain Thakur
  9. Bajrangi Thakur s/o Milan Thakur
  10. Rohit Thakur @ Rohit Kumar Thakur s/o Bajrangi Thakur
- All r/v-Siriyapur, P.S. – Basopatti, District - Madhubani

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**

ORAL ORDER

3      11-07-2017      Heard both sides.

The petitioners apprehend their arrest in Basopatti P.S. Case No. 198/2016, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code and section 27 of the Arms Act and sections 3/4 of the Explosive Substances Act.

From perusal of the F.I.R., it appears that the informant named the petitioners and other accused persons and alleged that the accused persons began to abuse the informant.



People from the side of the informant came. Ishwar Narain Thakur and Rupesh Thakur threw bomb causing injury to different persons from the side of the informant. Ishwar Narain Thakur, Mukesh Thakur, Satish Thakur and Babloo Thakur made indiscriminate firing in the air and Mangal Thakur is alleged to have assaulted Ram Bahadur Thakur with lathi on his neck.

Mr. Ajay Kumar Thakur learned counsel for the petitioners submits that there is counter version being Basopatti P.S. Case No. 199/2016. They are altogether ten persons out of which only Satish Thakur is alleged to have fired, but there is no specific allegation against other persons. Mangal Thakur petitioner no. 5 is said to have assaulted Ram Bahadur Thakur with lathi on his neck. One abrasion was found on the front of the neck of Ram Bahadur Thakur and the same cannot be caused by the assault by the lathi.

On the other hand, learned A.P.P. opposed the prayer for anticipatory bail of the petitioners.

Considering the facts aforesaid and the fact that there is case and counter case and no specific allegation is made against the petitioners, save and except petitioner no. 2 Satish Thakur, the petitioner no. 1 Ram Udesb Thakur, petitioner no. 3 Ajay Thakur, petitioner no. 4 Bijay Thakur, petitioner no. 5 Mangal Thakur,



petitioner no. 6 Pappu Thakur, petitioner no. 7 Babloo Thakur, petitioner no. 8 Chandan Thakur, petitioner no. 9 Bajrangi Thakur and petitioner no. 10 Rohit Thakur, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate Ist Class, Madhubani in connection with Basopatti P.S. Case No. 198/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

So far as the case of petitioner no. 2 Satish Thakur is concerned, he is alleged to have made indiscriminate firing; I am not inclined to enlarge the petitioner no. 2 Satish Thakur on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J.)**

Vinita/-

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