

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55045 of 2016

Arising Out of PS.Case No. -72 Year- 2016 Thana -BIHRA District- SAHARSA

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Raman Thakur, S/o Late Goutam Thakur, Resident of Village-Barahser,
P.S.-Bihra, District-Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

3 03-02-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Bihra P.S. Case no. 72 of 2016, registered under Sections 147, 148,
149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

The prosecution case is that on 30.05.2016 at about 6.45
P.M., informant Mritunjay Kumar along with his brothers Rupesh
Kumar, Basant Kumar and Pranav Kumar were seeing the victory
procession of Mukhiya Smt. Lili Paandey at his door. After passing
over the procession, Pradeep Kumar Thakur @ Lallu Thakur main
accused of Bihra P.S. Case No. 195 of 2014 came and started to abuse
and asked to kill them. Thereafter, ten persons named in the F.I.R.,
including the petitioner, started to cause assault through lathi, fatha to
the informant and his brothers. Due to arrival of the villagers, all the
accused persons fled away. Thereafter, informant and others rushed to



the hospital for treatment. At the time of occurrence, Ranjeet Thakur snatched his mobile phone and cash of Rs. 7000/- from his pocket and Ajay Thakur snatched his golden chain.

Learned counsel for the petitioner submits that, in fact, informant of the present case and the his brothers on the occasion of the victory procession of Mukhiya Smt. Lili Pandey started to explode the crackers at the door of the petitioner, when protest was made on which the petitioner and others assaulted regarding which Bihra P.S. Case No. 71 of 2016, under Sections 147, 148, 149, 341, 323, 448, 379, 504 and 506 was instituted on the basis of the written report of Ajay Thakur. Moreover, the injuries as found on the person of the informant and his brothers are simple in nature as detailed in para 19 and 25 of the case diary.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Saharsa in connection with Bihra P.S. Case No. 72 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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