

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44849 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -ANDHRATHARI District- MADHUBANI

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1. Binod Thakur Son of Late Biltu Thakur,
 2. Bal Ram Thakur Son of Binod Thakur,
 3. Malti Devi Wife of Binod Thakur,
 4. Mahesh Thakur Son of Late Jhagaru Thakur,
 5. Langru Thakur Son of Late Makanu Thakur,
 6. Ratan Thakur Son of Langru Thakur,
 7. Pramesh Thakur Son of Langru Thakur,
 8. Jitan Thakur Son of Langru Thakur,
 9. Laxman Thakur Son of Late Phulchand Thakur,
 10. Shankar Thakur Son of Mukti Thakur, All Resident of Village- Jamaila Bazaar, P.S. Andhrathadhi, District- Madhubani.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. A.M. Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 21-12-2017 Learned counsel for the petitioners seeks permission to withdraw the application filed on behalf of Petitioner No.6 Ratan Thakur and petitioner No.7 Pramesh Thakur.

In view of the above, the application filed on behalf of Petitioner No.6 Ratan Thakur and petitioner No.7 Pramesh Thakur is dismissed as withdrawn.

Heard learned counsel appearing on behalf of the petitioner Nos. (2) Bal Ram Thakur, (3) Malti Devi, (4) Mahesh Thakur, (8) Jitan Thakur, (9) Laxman Thakur and (10) Shankar Thakur and the learned A.P.P. for the State.



The petitioners apprehend their arrest in connection with Andhrathadhi P.S. Case no. 33 of 2017, registered under Sections 147, 149, 341, 323, 324, 325, 307 and 504 of the Indian Penal Code.

The accusation is that 15 persons named in the F.I.R. including the petitioner Nos. 2, 3, 4, 8, 9 and 10 entered in the court yard of the informant Rambabu Thakur. At that time, Mukti Thakur denoted the wife of informant in abusive language as Daain, when informant reached near his wife to save her then Mukti Thakur caused blood oozing injury at his head by means of Farsa. Thereafter, Binod Thakur gave lathi blow at his right hand resulting his hand has been fractured and Rambilash Thakur also caused injury at his back and hand. When Ranjeet Thakur and Anil Thakur, sons of the informant, came to rescue then Arbind Thakur, Langru Thakur, Jitan Thakur, Shankar Thakur caused them injury through Farsa, rod and lathi and Dharmendra Thakur, third son of informant, came to rescue then Balram Thkaur caused injury to him by Axe. When Anita Devi, wife of the informant came then Malti Devi caused injury to her by pelting stone and Binod Thakur also caused injury through Bhala.

Learned counsel for the petitioners submits that allegation against petitioner Nos. 2,3,4,8,9 and 10 are causing injury to the three sons of informant, but no injury is available in the case diary. Further submission is that petitioner Nos. 2,3,4,8,9 and 10 have no criminal antecedent.

Having regard to the facts and circumstances of the case,



let the petitioner Nos. (2) Bal Ram Thakur, (3) Malti Devi, (4) Mahesh Thakur, (8) Jitan Thakur, (9) Laxman Thakur and (10) Shankar Thakur be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the A.C.J.M-III, Jhanjharpur, Madhubani in connection with Andhrathadhi P.S. Case No. 33 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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