

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59762 of 2018

Arising Out of PS. Case No.-162 Year-2018 Thana- GOVINDGANJ District- East
Champaran

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1. Chhotan Thakur, S/o Shambhu Thakur.
 2. Abhay Thakur, S/o Sudhir Thakur.
 3. Satish Thakur, S/o Sudhir Thakur. All are resident of Village- Bahadurpur, Ward No. 14, P.S.- Areraj O.P., District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar Mishra
For the Opposite Party/s : Mr. Binod Kumar 3

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-09-2018 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,342,324,325,379,307 and 504/34 of the IPC and Section 27 of the Arms Act.

As per the prosecution case, seven accused persons including the petitioners attacked the informant. Specific accusation of assault is against co-accused Sudhir Thakur who assaulted with Farsa on the informant causing injury on head and Shambhu Thakur assaulted with iron rod causing fracture injury on the hand of the informant, whereas co-accused Shiv Prasad Sah resorted to firing, but it did not cause any injury to the



informant. It is alleged that petitioner no. 1 Chhotan Thakur and petitioner no. 3 Satish Thakur snatched Rupees Twenty Five Thousand from the informant. Co-accused Vijay Thakur and petitioner no. 2 Abhay Thakur snatched silver chain worth Rupees One Thousand and silver ring worth Rupees Three Hundred.

It is submitted by learned counsel for the petitioners that for the occurrence of 3.6.2018, the written report was submitted on 17.6.2018. The accusation of assault has not been levelled against the petitioners and there is counter version of the occurrence being Govindganj P.S. Case No. 152 of 2018. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioners.

Considering the fact that the accusation of assault has not been levelled against the petitioners and there is counter version of the occurrence, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Motihari, East Champaran



in connection with Govindganj (Areraj) P.S. Case No. 162 of
2018 subject to the conditions laid down in Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

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