

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43769 of 2018

Arising Out of PS. Case No.-249 Year-2016 Thana- PAHARPUR District- East Champaran

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Satish Kumar Thakur, S/o Hiralal Thakur , R/o Vill.- Siswa (Maldahia), P.S.-
Paharpur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 24-07-2018 Heard learned Counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections
341/323/324/325/307/379/504/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 12.12.2016, submitted by Motilal Thakur to the I/c
Camp, Sadar Hospital, Motihari to the effect that on the same
day at 01.30 A.M., the accused persons, including the petitioner,
Satish Kumar Thakur, entered into the house of the informant,
when the petitioner assaulted the wife of the informant, Sobha
Devi with 'farsa' on her head, whereas, co-accused, Santosh,



assaulted the informant with lathi, causing fracture injury on his left leg and right hand. When the son of the informant, Niranjana Kumar came to rescue him, all the accused persons started assaulting him. The accused persons took away Rs.10,000/- and Jewellery worth Rs.50,000/- from the house of the informant.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of a land dispute between the parties. The petitioner is alleged to have assaulted the wife of the informant, Sobha Devi, with 'farsa', but she has received simple injury caused by hard and blunt substance. It is further submitted that apart from the present case, the petitioner is accused in three other cases, but in all the cases, he is on bail and a statement to that effect has been made in paragraph no.3 of the petition.

It is submitted by learned APP for the State that there is specific accusation of assault against the petitioner in the FIR.

Considering the accusation not being corroborated by the medical opinion, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 learned



ACJM-VII, Motihari, in connection with Tr. No. 2490/2018,
arising out of Paharpur P.S. Case No.249 of 2016, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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