

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70075 of 2018

Arising Out of PS. Case No.-166 Year-2018 Thana- SISWAN District- Siwan

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Baijnath Thakur @ Baidnath Thakur, S/o Daroga Thakur, R/o Vill.-
Khajepur Khurd, P.S.- Siswan (M.H. Nagar), District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-12-2018

Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,447,448,307,379,504 and 506/34 of the IPC.

The prosecution case as per written report of Baby Devi submitted to the SHO, M.H. Nagar, Hasanpura Police Station is to the effect that on 11.8.2018 at 8.30 P.M. the informant went outside of her house and while returning back, she saw the petitioner taking away Rupees Thirty Five Thousand and jewellery from the house of the informant, and when the informant questioned the petitioner about entering into her house. Thereafter, it is alleged that the petitioner and co-accused Kamla Devi assaulted the informant. When the husband of the



informant came to rescue her, he was also assaulted by the petitioner and other accused persons.

It is submitted by learned counsel for the petitioner that maliciously the case has been lodged with false accusation against the petitioner. Though the petitioner is named in the FIR but there is no recovery of the said amount and jewellery from the petitioner. It is further submitted that though one of the injuries has been found to be grievous on the thumb of the informant. Moreover, there is general and omnibus accusation of assault on the thumb of the informant.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that there is no specific accusation of assault against the petitioner, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner 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) with two sureties of the like amount each to the satisfaction of the learned ACJM- IV, Siwan in connection with Siswan



(M H Nagar) P.S. Case No.166 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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