

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61746 of 2018

Arising Out of PS. Case No.-91 Year-2018 Thana- TANKUPPA District- Gaya

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Agast Thakur S/o Late Lala Thakur, R/o Vill.- Khalari, P.S.- Tankuppa,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 17-12-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with
Tankuppa Police Station Case No. 91 of 2018 registered for offences
punishable under sections 341, 323, 325, 308 and 504/34 of the
Indian Penal Code.

Allegation as per FIR is that altogether seven persons
named in FIR assaulted the informant and his three brothers who
reached to rescue the informant. The allegation appears omnibus
against seven persons. The other co-accused Shankar Thakur,
Kamlesh Thakur, Guddu Thakur, Chhotu Kumar and two females
have been allowed anticipatory bail by the court below. The
allegation of assault is specific against Shankar Thakur who assaulted
the brother of informant on his head by Lathi. The said Shankar
Thakur has been allowed anticipatory bail by the court below. The



allegation against this petitioner who allegedly assaulted by Khanti is omnibus. The injury report on record shows that the informant sustained injury by hard and blunt substance. Both the parties are next door neighbours and dispute arose for flowing drainage water.

Considering the nature of allegation, facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-I Gaya in connection with Tankuppa Police Station Case No. 91 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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