

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54880 of 2018**

Arising Out of PS. Case No.-173 Year-2018 Thana- PUPRI District- Sitamarhi

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1. Chandan Kumar, Son of Sri Vijay Thakur.
  2. Kundan Kumar, Son of Sri Vijay Thakur.
  3. Sonu Kumar, Son of Sri Vijay Thakur. All resident of Village- Jhajhihat, P.S.- Pupari, District- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

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**Appearance :**

For the Petitioners : Mr. Anuj Kumar, Advocate.  
For the Opposite Party : Mr. Jagdhar Prasad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      20-11-2018                      Heard learned counsel for the petitioners and learned  
counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 148, 149, 341, 323, 324, 307, 379, 354, 447, 504 and 506 of the IPC.

The prosecution story, in brief, is that on 25.04.2018 at 7.00 A.M. while the informant was at her house the accused persons including the petitioners entered the house and started abusing and assaulting the informant. When her son and daughter came to save her they were also brutally assaulted by the accused persons. Co-accused Vijay Thakur was armed with *Dabiya*, petitioner no. 3 Sonu Kumar was armed with *Handpipe* *Handle* and petitioner no. 1 Chandan Kumar had knife in his



hand. They also tried to outrage modesty of her daughter. Her mother was assaulted by co-accused Vijay Thakur by means of *Dabiya* causing bleeding injury. Her son was assaulted by petitioner no. 1 Chandan Kumar by means of *Chaku* causing cut injury. On hulla, villagers came and saved the informant and her family members.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is case and counter case between the parties. Injury on the side of accused persons has not been explained by the prosecution. The prosecution has not come with clean hands. Both parties are agnates. The alleged occurrence has taken place due to erection of boundary wall.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of



the like amount each to the satisfaction of learned C.J.M.,  
Sitamarhi in connection with Pupari P.S. Case No. 173 of 2018,  
subject to the conditions as laid down under Section 438(2) of  
the Code of Criminal Procedure.

**(Sudhir Singh, J)**

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