

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43542 of 2018

Arising Out of PS.Case No. -11 Year- 2017 Thana -TARAPUR District- MUNGER

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Shekhar Thakur @ Chandra Shekhar Kumar @ Chandra Shekhar Thakur,
Son of Jaikaran Thakur, Resident of Village- Kamargama, P.S.- Tarapur,
District- Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambrish Kumar Jha

For the Opposite Party/s : Mr. Sri Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 19-07-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 325, 324 and 307 of the Indian Penal Code.

The prosecution case as per the written report dated 24.01.2017 of Jainandan Thakur submitted to the Station House Officer, Tarapur P.S., is to the effect that on the same day at 9.00 A.M., all the twelve accused persons including the petitioner came and started abusing the informant and started making protest for uploading sand from a tractor on the road in front of the house of the petitioner. On protest being made by the



informant, co-accused Jaikaran Thakur and the petitioner Shekhar Thakur assaulted with rod on the head of the informant, as a result, he got badly injured, when the brother of informant, Chaturi Thakur, nephew Guddu Thakur and other family members came to rescue the informant, they were also assaulted by the accused persons.

It is submitted by learned counsel for the petitioner that for a petty dispute, the accusation has been levelled against the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. There is specific accusation of assault against co-accused Jaikaran Thakur and the petitioner but the co-accused Jaikaran Thakur has been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 16374 of 2018. However, impugned order shows that the brother of the informant, Chaturi Thakur has received grievous injury but accusation of assaulting Chaturi Thakur is omnibus and general against all the accused persons.

Learned APP, however, submits that the petitioner is named in the FIR with specific accusation.

Considering the fact that specific accusation of assault has been levelled against co-accused Jaikaran Thakur and



the petitioner, but who has been granted anticipatory bail by a co-ordinate Bench of this court coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Tarapur P.S. Case No. 11 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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