

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.693 of 2019**

Arising Out of PS. Case No.-231 Year-2018 Thana- JALALPUR District- Saran

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1. DHANESHWAR THAKUR Son of Late Harihar Thakur
 2. Santosh Thakur Son of Dhaneshwar Thakur
 3. Sonu Thakur Son of Dhaneshwar Thakur
 4. Pappu Thakur Son of Dhaneshwar Thakur
- All are resident of village - Sawari Bazar, P.S.- Jalalpur, District - Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nawal Kishore Singh
For the Respondent/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 02-04-2019

Heard the parties.

The appellants are apprehending their arrest in connection with Jabalpur P.S.Case No.231 of 2018 , registered for offences punishable under Sections 341, 323, 324, 504, 506/34 of the Indian Penal Code and Section 3(i)(x) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant no.1 is of assault by 'Farsa' to the informant and the allegation against the appellant no.2 is of assault by 'Rod' to Shatrughan Manjhi and there is allegation of assault by appellant nos. 3 and 4 also.



Submission of the learned counsel for the appellants is that earlier a case had been lodged by the appellants' side against the informant and so far injuries are concerned, they are simple in nature and there is no specific allegation against the appellant nos. 3 and 4.

Heard learned Spl.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that there is sharp cut injury on the person of informant and also on Shatrudhan Manjhi. .

Having heard both sides and in view of the facts and circumstances, as stated above, so far appellant nos. 1. Dhaneshwar Thakur and 2. Santosh Thakur are concerned, I am not inclined to grant privilege of anticipatory bail to appellant nos. 1 and 2 however, they are directed to surrender before the learned Special Judge within a period of six weeks from the date of receipt of the order and make prayer for regular bail which will be considered by the learned Special Judge on its own merit.

So far appellant nos. 3 Sonu Thakur and 4. Pappu Thakur are concerned, in the event of arrest or surrender before the court below within a period of six weeks from the date of order they will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount



each to the satisfaction of the learned Ist Addl. Sessions Judge, Saran at Chapra in connection with Jalalpur P.S.Case No.231 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this appeal is allowed and the impugned order is set aside with respect to the appellant nos.3 and 4.

(Vinod Kumar Sinha, J)

chn/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

