

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68483 of 2018

Arising Out of PS. Case No.-124 Year-2017 Thana- MARAUNA District- Supaul

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Amarjeet Thakur S/o Chandeshwari Thakur R/o Village- Parsauni, P.S.
Marauna, District- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 15-04-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,148,341,323,307,325,354-A,379,504 and 506 of the IPC.

The prosecution case as per the written report of Ram Awtar Singh submitted to the SHO, Marauna Police Station is to the effect that on 11.11.2017 at 2.00 P.M., while the informant was fencing his land, in the meantime, the accused persons including the petitioner came variously armed with lathi and danda and on the order of co-accused Kapileshwar Yadav, co-accused Ranjeet Thakur assaulted the informant with iron rod on his head and co-accused Shrawan Thakur assaulted the informant with iron rod on his right hand. When the nephew of the informant namely Manish Kumar came to rescue, co-



accused Sadanand Yadav assaulted him with Dabia. The petitioner is also alleged to have assaulted the nephew of the informant. It is further alleged that when the sister-in-law (Bhabhi) of the informant namely Nirmala Devi came to rescue, co-accused Deepak Yadav, Prabhash Yadav and Jitendra Yadav assaulted her. The accused persons also took away household articles from the house of Bibha Devi, Ranjana Devi and Fulo Devi.

It is submitted by learned counsel for the petitioner that the specific accusation against the petitioner is of assaulting the nephew of the informant who was also assaulted by co-accused Sadanand Yadav. Hence, there is general and omnibus accusation of assault against the petitioner. It is further submitted that there is counter version of the occurrence being Marauna P.S. Case No. 125 of 2017.

Learned counsel for the informant submits that there is specific accusation against the petitioner.

Considering the fact that the accusation of assault is not being corroborated by the medical opinion and there being counter version of the occurrence, 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 CJM, Supaul in connection with Marauna P.S. Case No.124 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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