

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53651 of 2019

Arising Out of PS. Case No.-121 Year-2019 Thana- DHAKA District- East Champaran

1. MOHAN THAKUR Son of Sudama Thakur Resident of Village - Naya Tola, Dhaka, P.S.- Dhaka, Distt - East Champaran.
2. Pradyuman kumar @ Pradhuman Kumar Son of Mohan Thakur Resident of Village - Naya Tola, Dhaka, P.S.- Dhaka, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 30-09-2019 At the very outset, learned counsel for the petitioners submits that the petitioner no.1, namely, Mohan Thakur, has already been arrested by the police in this case and seeks permission to withdraw this application in respect of the petitioner no.1, namely, Mohan Thakur.

Permission is accorded.

This application in respect of the petitioner no.1, namely, Mohan Thakur, is dismissed as withdrawn.

Now, only the prayer of the petitioner no.2, namely, Pradyuman Kumar alias Pradhuman Kumar, for grant of privilege of pre-arrest bail is being considered.

Heard.

The petitioner nos.2, namely, Pradyuman Kumar alias



Pradhuman Kumar, apprehends his arrest in connection with Dhaka P.S. Case No.121 of 2019/G.R. Case No.503 of 2019 registered under Sections 341, 323, 324, 325, 307, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that in the evening of 18.04.2019, the informant along with his father returned to his house after getting his father treated and when he, after getting down his father from the vehicle, was entering into his house, he sustained injury through the piece of brick and he removed the piece of the brick from that place. In the mean time, four persons, named in the F.I.R., including the petitioner no.2, came there and started to abuse the informant. When the informant made protest, then the petitioner no.2 with an intention to kill him gave sword blow at his forehead causing blood oozing injury. Thereafter, when the younger brother of the informant Yogendra Kumar rushed to save the informant, the petitioner no.2 caused cut injury on his head through sword. When the informant and his brother fell down, Mohan Thakur, Veena Devi and Guddu Kumar started to cause assault to them through lathi. In that course, all caused assault to the mother and the ladies of the family of the informant. Mohan Thakur caused fracture injury at the shoulder of the mother of the informant and Guddu Kumar snatched the gold chain from the neck of the informant.

Learned counsel for the petitioner no.2 submits that while there is allegation against the petitioner no.2 to cause injury at the



forehead and head of the informant and the brother of the informant respectively through sword but the injury of the informant is not detailed in the case diary, whereas the brother of the informant sustained simple injury. The petitioner no.2 has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner no.2, namely, Pradyuman Kumar alias Pradhuman Kumar, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Sikrahana at Dhaka, District-East Champaran, in connection with Dhaka P.S. Case No.121 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

