

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57677 of 2019**

Arising Out of PS. Case No.-90 Year-2019 Thana- KATHAIYA District- Muzaffarpur

1. Sudhakar Thakur, Son of Late Ram Vilash Thakur Resident of Village - Nawalpur, Godwara, P.S.- Kathaia, Distt - Muzaffarpur.
2. Krishna Devi, Wife of Sudhakar Thakur Resident of Village - Nawalpur, Godwara, P.S.- Kathaia, Distt - Muzaffarpur.
3. Gayatri Devi, Wife of Diwakar Thakur Resident of Village - Nawalpur, Godwara, P.S.- Kathaia, Distt - Muzaffarpur.
4. Baban Thakur, Son of Satrudhan Thakur Resident of Village - Jagdishpur, P.S. - Sahebganj, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Alka Singh

For the Opposite Party/s : Mr.Umeshanand Pandit

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      12-09-2019                      Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Kathaiya P.S. Case No.90 of 2019 for the offence punishable under Sections 447, 341, 342, 323, 308, 354, 379, 504, 506, of the Indian Penal Code.

The allegation against the petitioners as per the First Information Report is that on the date of occurrence, i.e., 31.05.2019, Sudhakar Thakur, petitioner No.1, and other petitioners arrived near the house of the informant and assaulted



her with lathi, danda and abused the informant also. It has further been alleged that Sudhakar Thakur, i.e., petitioner No.1, caught hold the arm of the informant and tore her cloth. It has further been alleged that petitioner No.1 assaulted the informant and her daughter and petitioner No.4, Babban Thakur snatched away mangal sutra of the informant.

Learned counsel appearing for the petitioners submits that the petitioners as well as informant are close relative inasmuch as petitioner No.1 is the elder brother of the husband of the informant, petitioner No.2 is Gotni of the informant, petitioner No.3 is daughter-in-law of the informant and petitioner No.4 is neighbour. Learned counsel further submits that there is land dispute between the parties relating to passage of way, as would be evident from the First Information Report itself. Learned counsel also submits that no injury has been caused to the informant or her daughter as the prosecution did not produce any injury report before the Court below itself.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that both the parties are close relative and there is land dispute between them and no injury has been brought on record by the prosecution, as such, I am



inclined to grant anticipatory bail to all the petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Muzaffarpur, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

**(Anil Kumar Sinha, J)**

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