

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.188 of 2020**

Arising Out of PS. Case No.-89 Year-2018 Thana- SIWAIPATTI District- Muzaffarpur

LALAN THAKUR @ PREM KUMAR THAKUR (Male), aged about 55 years, Son of Laxmi Thakur, Resident of Village - Ghosaut, P.S.- Siwaipatti, District – Muzaffarpur.

... .. Appellant

Versus

THE STATE OF BIHAR

... .. Respondent

Appearance :

For the Appellant : Mr.Shashank Shekhar, Advocate.
For the Respondent : Mrs.Usha Kumari 1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

3 02-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the parties.

The matter relates to grant of anticipatory bail to the appellant in connection with Siwaipatti P.S. Case No. 89 of 2018, registered for the offences under Sections 341, 323, 504, 506/34, 354 of the IPC and 3(i)(x) of the SC/ST (Prevention of Atrocities) Act.

The prosecution case, in short, is that on 04.10.2018 when the informant went to co-accused Rinku Thakur for demanding her wages, he and Kishu Thakur abused her by



taking her caste name. On the order of Lalan Thakur (appellant), co-accused Kishu Thakur assaulted her with knife, as a result of which, she sustained injury in her left hand. All the accused persons torn her *Blouse* and assaulted her with fists and slaps, as a result of which, she became unconscious. When her daughter and husband came to rescue her, accused persons assaulted them.

It has been submitted on behalf of the appellant that the appellant has falsely been implicated in the present case due to previous enmity. There is no allegation of tampering with the witnesses alleged against the appellant. The allegation made in the F.I.R. is denied by the appellant. The alleged occurrence has not occurred at a public place or in a public view.

On behalf of the State, it is submitted that the appellant is named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 18.12.2019, passed by learned Special Judge, SC/ST Act, Muzaffarpur, in A.B.P. No. 4012 of 2019, in connection with Siwaipatti P.S. Case No. 89 of 2018, is set aside. The criminal appeal is allowed.

Accordingly, the appellant, above named, in the event of arrest or surrender before the learned court below within a



period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Special Judge, SC/ST Act, Muzaffarpur, in A.B.P. No. 4012 of 2019, in connection with Siwaipatti P.S. Case No. 89 of 2018.

Once the normalcy is restored, the appellant shall furnish bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

U.K./-

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

