

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16801 of 2020**

Arising Out of PS. Case No.-199 Year-2019 Thana- PIRPAINTI District- Bhagalpur

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1. BIHARI THAKUR, Son of Harchu Thakur,
 2. Harbrilash Thakur @ Haribelash Thakur, Son of Harchu Thakur,
 3. Bikash Thakur @ Vikash Kumar Thakur, Son of Parma Thakur,
 4. Subodh Thakur, Son of Harbilash Thakur,
- All are Residents of Village - Dulduliya, P.S.- Pirpainti, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

5 04-12-2020 Heard learned counsel for the petitioners and learned APP
for the State through virtual court proceedings.

The petitioners seek bail in a case registered for the offence punishable under Sections 147, 341, 323, 448, 337, 307, 504, 354, 379 of the Indian Penal Code.

The prosecution case in brief is that, it is alleged that the petitioners including the accused persons when the informant was at home, then the accused persons as mentioned in FIR entered the house with Lathi, Iron Rod and abused him and when the informant questioned them, the accused persons caught hold by hair and assaulted him by fat and mukka. When



informant's husband Shiv Shankar Thakur and her son Aman Thakur came they were also assaulted by danda and iron rod causing injuries on the head of her husband by Mahesh Thakur. Further, the petitioner no. 2 namely Subodh Thakur snatched 13 Bhar silver neckless.

Learned counsel for the petitioner submits that the petitioners are innocent and have falsely been implicated in this case due to land dispute. Both parties are agnets. There is case and counter case between the parties. There is no specific allegation overact against the petitioner. There is overact against co-accused Mahesh Thakur.

Learned APP for the State opposes the prayer for bail petition and submit that the petitioners are named in the FIR.

I have perused the case diary, final injury report, the injury no. 3 is grievous in nature.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of the petitioners are rejected in connection with Pirpainti P.S. Case No. 199/2019 from the Court of learned A.C.J.M.-XIth, Bhagalpur.

Accordingly, this application is dismissed.

However, petitioners are directed to surrender before the



learned court below and make prayer for bail, the learned court below shall dispose of the bail petition on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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