

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19953 of 2020

Arising Out of PS. Case No.-64 Year-2019 Thana- MAHKAR District- Gaya

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MOHAN THAKUR, aged about 48 years (M), Son of late Musafir Thakur,
Resident of Village - Chhatni, P.S.- Mahkar, Distt.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sharda Nand Mishra, Advocate.
For the Opposite Party : Mrs. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-06-2020 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.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of lifting of the lockdown in the
State of Bihar.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 447, 341, 342, 323, 324, 307, 325 and
504/34 of the IPC.

The prosecution story, in brief, is that on 16.08.2019,



the informant was setting dung-cake, in the meantime, her son, namely, Bipin Kumar, came out from the house for working, then Mohan Thakur (petitioner) surrounded him for assaulting. When the informant and her daughter, namely, Poonam Kumari, came to save him, Mohan Thakur (petitioner) threw iron spade on her daughter, as a result of which, she sustained cut injury in right leg and bleeding started. After hearing noise, co-accused Jitendra Thakur, Dharmendra Thakur, Chhotu Thakur and Pravila Devi came and started abusing. Co-accused Jitendra Thakur assaulted with Lathi on her head resultant her head broke. Co-accused Dharmendra Thakur assaulted with Lathi to her husband resultant he received injury in right hand and right arm. The reason behind the occurrence is that earlier her husband quarreled with villager Rahul Mahto and filed a case against him. Mohan Thakur (petitioner) was pressurizing whole family for withdrawing that case and her husband has not withdrawn that case.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 22.11.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the



petitioner. The injury report of the victim is said to be simple.
No offence under Section 307 of the I.P.C. is made out.

On behalf of the learned counsel for the State, it has
been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case
and also the lockdown, the petitioner above named, is directed
to be released on bail on his personal bond to the satisfaction of
the learned C.J.M. Gaya, in connection with Mahkar P.S. Case
No. 64 of 2019.

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

(Sudhir Singh, J)

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