

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21806 of 2020

Arising Out of PS. Case No.-338 Year-2019 Thana- MAHUA District- Vaishali

Ram Ekbal Thakur @ Ram Iqbal Thakur, aged about 62 years, Male, Son of Late Bhograj Thakur Resident of Village - Phatepur Chauthai, Panapur, P.S.- Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 15-10-2020 Heard Mr. Mrigendra Kumar, learned counsel for the petitioner and Mr. Satyendra Prasad, counsel for the State as also Mr. Sanjay Kumar Jha, counsel for the Informant.

In this case, the petitioner is seeking bail in connection with Mahua P.S. Case No. 338 of 2019 registered for offences under sections 341, 323, 324, 307, 379, 427/34 of the Indian Penal Code.

In the present case, there is an allegation that on account of dispute with respect to land, the petitioner has assaulted and inflicted injury upon the Informant.

Learned counsel for the petitioner submits that there is a case and counter case from both sides. He further submits that the petitioner has only resisted for uprooting of the



crop whereupon the altercation took place. He further submits that both sides have received injury and the injuries are simple in nature. He again submits that the co-accused, namely, Satya Narayan Thakur has been granted pre-arrest bail by this Court vide order dated 22.6.2020 passed in Cr.Misc. No. 76801 of 2019.

The petitioner is languishing in judicial custody since 8.4.2020.

Looking to the period of custody as also considering the entire facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali in connection with Mahua P.S. Case No. 338 of 2019, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail. and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including



cancellation of bail bonds.

(Shivaji Pandey, J)

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