

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77480 of 2019

Arising Out of PS. Case No.-865 Year-2019 Thana- ARARIA District- Araria

KISHLAY THAKUR Son of Chandra Bodh Thakur Resident of Village -
Shivpuri, P.S. and Distt - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Nand Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 08-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Araria P.S. Case no. 865 of 2019, registered under
Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506
of the Indian Penal Code.

The accusation is that informant Nazis along with
Md. Kaif and Danish proceeded in fair of Durgapuja and
reached near Sani Temple then 4 to 5 persons, who were
coming on motorcycle, dashed Md. Kaif, who fell down, when
informant made protest, then Kishlay Thakur (Petitioner)
inflicted knife blow on the head of the informant and co-
accused Sushant snatched his writ watch and cash of Rs. 5000/-
from his pocket.



Learned counsel for the petitioner submits that, in fact, informant and his associates, in course of moving in Durga puja, were indulged in teasing the girls of the locality and when protest was made then Md. Kaif, associate of the petitioner, fell down, but with ulterior motive, the informant lodged the present case with false allegation. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 865 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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