

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.204 of 2021

Arising Out of PS. Case No.-202 Year-2020 Thana- MURLIGANJ District- Madhepura

1. MAHARAJ THAKUR @ MAHRAJ THAKUR S/o Late Bindeshwari Thakur Resident of Village-Belo Hata Tola, Ward No.1, P.S-Murliganj, District-Madhepura.
2. SUKHDEV THAKUR S/o Late Bindeshwari Thakur Resident of Village-Belo Hata Tola, Ward No.1, P.S-Murliganj, District-Madhepura.
3. RANBIR THAKUR S/o Sukhdev Thakur Resident of Village-Belo Hata Tola, Ward No.1, P.S-Murliganj, District-Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s :	Mr. Manoj Kumar, A.P.P.
For the Informant :	Mr. Uday Chand Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 15-03-2021 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners, learned counsel for the informant and Mr. Manoj Kumar, learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Murliganj P.S. Case No. 202 of 2020 registered for the offence under Sections 341, 323, 324, 307, 379, 302, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the



informant in his written report alleged that due to land dispute when he forbade the accused persons in constructing the house they indulged in assault to him. It is alleged that Srawan Thakur gave farsa blow on the head of the informant.

Learned counsel submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there is no specific allegations against the petitioners for causing assault to the injured. The land dispute is an admitted fact between the parties. The specific allegation of assault is against Srawan Thakur.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioners.

Having regard to the facts and circumstances of the case wherein this Court has noticed from the materials on the record that in the first part of the F.I.R. the informant named three accused including the petitioner no. 1 who had assaulted him but towards the end he has specifically alleged that co-accused Shrawan Thakur had given farsa blow on his head, so far as other accused are concerned there are general and omnibus kind of allegation against petitioner nos. 2 and 3 that they had also joined later on, there being no specific allegation of causing the head injury which resulted in death of the



informant against any of these petitioners and the specific allegation is against co-accused Srawan Thakur, the petitioners have otherwise no criminal antecedent, let the petitioners above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Murliganj P.S. Case No. 202 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

vats/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

