

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11523 of 2021

Arising Out of PS. Case No.-307 Year-2020 Thana- NAUTAN District- West Champaran

1. UMESH THAKUR S/o Madho Thakur R/O village - Nautan Brita Tola, P.S. - Nautan, District - West Champaran.
2. Rajesh Thakur S/O Madho Thakur R/O village - Nautan Brita Tola, P.S. - Nautan, District - West Champaran.
3. Madho Thakur S/o Late Ram Sunder Thakur R/O village - Nautan Brita Tola, P.S. - Nautan, District - West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vagisha Pragya Vacaknavi
For the Opposite Party/s : Mr. Sanjay Kumar No. 7

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 24-12-2021 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State assisted by the learned counsel for the informant.

The petitioners apprehend their arrest in connection with Nautan P.S. Case No. 307 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 of the Indian Penal Code.

As per FIR, on 21.8.2020 a quarrel started between



the informant and her *patidar*. Her son, Sunil Kumar went there to see the quarrel where all the accused persons named in the FIR including these petitioners started assaulting her son and when she went to save her son then all the accused persons assaulted her by rod and *lathi* due to which she sustained injury. It is further alleged that the accused persons also assaulted her husband with *farsa* and *garasa* on his head.

Learned counsel for the petitioners has submitted that there is case and counter case and there is previous enmity between both the parties. She has further submitted that the allegation against the petitioners is of assaulting the informant whose injury report has been annexed as page No. 25 of the petition and it shows no external injury has been found. So far as the allegation of assault to the husband of the informant is concerned it is not against the petitioners rather it is against co-accused Mukesh Thakur and Ramesh Thakur.

The learned APP as well as learned counsel for the informant have opposed the prayer for bail of the petitioners.

Considering the nature of accusation, let the petitioners be released on bail in the event of their arrest or surrender within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned CJM, Bettiah, West Champaran in connection with Nautan P.S. Case No. 307 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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