

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4192 of 2022**

Arising Out of PS. Case No.-72 Year-2021 Thana- PIPRAHI District- Sheohar

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HARIOM THAKUR S/o Rambalak Thakur @ Bhaglo Thakur Resident of  
Village- Singahi Inarwa Tole Madhopur, P.S.-Sheohar, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

**CRIMINAL MISCELLANEOUS No. 4977 of 2022**

Arising Out of PS. Case No.-72 Year-2021 Thana- PIPRAHI District- Sheohar

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RAJKAPOOR THAKUR SON OF RAMBALAK THAKUR @ BHAGLU  
THAKUR R/O VILLAGE- SINGAHI INARWA TOLE MADHOPUR, P.S.-  
SHEOHAR, DISTRICT- SHEOHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 4192 of 2022)

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

(In CRIMINAL MISCELLANEOUS No. 4977 of 2022)

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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

ORAL ORDER

2      23-05-2022                      The learned counsel for the petitioners are directed to  
  
remove all the defects pointed out by the Stamp Reporter within  
  
one month.

Heard the learned counsel for the petitioners and  
  
learned APP for the State.



This is an application for regular bail on behalf of the petitioners for the offences alleged under Sections 307, 326, 324, 341, 34, 504 and 302 of the Indian Penal Code, registered in connection with Piprahi P.S. Case No. 72 of 2021.

As per allegation, the informant and his brother went to the place of occurrence on hearing the cry of his son, namely, Aditya Kumar. They saw that co-accused, namely, Kamal Thakur and the present petitioners were forcibly applying colour to Aditya Kumar (deceased) and abusing him in filthy words. Thereafter, the informant and his brother when returning with his son, co-accused, namely, Rambalak Thakur @ Bhaglu Thakur badly assaulted the son of the informant with some pointed weapons. Son of the informant died during course of treatment.

The learned counsel for the petitioners has submitted that there is no allegation of assault against the petitioners. The specific allegation to assault the deceased is on Rambalak @ Bhaglu Thakur, whose, prayer for bail has been rejected by the co-ordinate Bench. He has submitted further that on similar allegation, co-accused, namely, Rana Thakur has been granted anticipatory bail and co-accused, namely, Kamal Thakur has been granted regular bail by the co-ordinate Bench. The



petitioners have no criminal antecedent and Hariom Thakur is in custody since 12.09.2021 and Rajkapoor Thakur is in custody since 07.10.2021.

Considering the above facts and circumstances, petitioners are not assailant of the deceased and other co-accused on similar footing have been granted bail by the co-ordinate Bench, let the petitioners above-named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-IIInd-cum-Special Judge (Excise), Samastipur, in connection with Hasanpur Case No.199 of 2021, subject to the following conditions:-

1. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

2. If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the



petitioners within the stipulated time as provided hereinabove,  
failing which the matter shall be brought to the notice of this  
Court.

**(Nawneet Kumar Pandey, J)**

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