

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18686 of 2021

Arising Out of PS. Case No.-149 Year-2020 Thana- KANTI District- Muzaffarpur

1. SANTOSH THAKUR S/o Sikadeo Thakur @ Shukdev Thakur R/o Village- Bishundatpur, P.S.- Kanti, District- Muzaffarpur.
2. Bholi Kumar S/o Sikadeo Thakur @ Shukdev Thakur R/o Village- Bishundatpur, P.S.- Kanti, District- Muzaffarpur.
3. Aditya Thakur S/o Dharmendra Thakur R/o Village- Bishundatpur, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 19-04-2022 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in connection with Kanti P.S. Case No. 149 of 2020 registered for the offence punishable under sections 147, 341, 323, 325, 308, 354, 379 and 504 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that petitioners have not committed any offence as alleged in the first information report and they have been falsely implicated in this case due to village politics and land dispute between the parties. The present case has been lodged in retaliation of the earlier case lodged by co-accused against the present informant

bearing Kanti P.S. Case No. 142 of 2020. Petitioners have no criminal antecedent.

Learned Addl. P.P. appearing for the State opposes the prayer for bail of petitioner nos. 1 and 2 and submits that there is direct allegation of assault against them which is supported by the injury report.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let petitioner no. 3, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing personal bond to the satisfaction of Additional Chief Judicial Magistrate, II, West, Muzaffarpur in connection with Kanti P.S. Case No. 149 of 2020 subject to the conditions laid down under section 438(2) Cr.P.C.

As regards petitioner nos. 1 and 2, considering the nature of allegations levelled against them which is supported by the injury report, this Court is not inclined to grant them the privilege of anticipatory bail. Their prayer for bail is, accordingly, rejected.

(Arvind Srivastava, J)

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