

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17540 of 2022

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

Sharwan Thakur @ Sanjay Kumar Sangam, Son Of Maharaj Thakur R/O-
Village - Belo Hata Tola Ward No. 01, P.S. Murliganj, District - Madhepura.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 341,
323, 324, 307, 379, 302 and 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner has antecedent of two cases. It is next submitted that
the informant alleges that on 03.07.2022 at about 8.00 A.M., the
accused persons were constructing the house over the disputed
land, on which the Title Suit is pending and when the same was
objected by the informant, the accused persons including the
petitioner started abusing and assaulting the informant with lathi
and when his wife and daughter-in-law came to save, the
accused persons also assaulted both of them causing injury. It is



next alleged that Shrawan Thakur (petitioner) is alleged to have assaulted with farsa causing injury on the head of the informant and also snatched silver chain worth Rs.35,00/- from the neck of the wife of the informant.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that the police after investigation submitted final form in favour of the petitioner as would be evident from Annexure-2 to the anticipatory bail application. It is also submitted that once the police after carrying threadbare investigation was not able to connect the petitioner with the offence leading to submission of final form and based on the same material, the learned Judicial Magistrate has taken cognizance. It is next submitted that since one Investigating Agency has found the petitioner to be innocent, hence, sending him to jail would not serve any purpose at this stage.

The learned counsel for the informant as well as learned A.P.P. opposes the bail application, but are not able to rebut the submission of the learned counsel for the petitioner that final form no.298 of 2020 dated 07.10.2020 has been submitted in favour of the petitioner.

Considering the submissions made by the learned



counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Murliganj P. S. Case No.202 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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