

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20964 of 2022

Arising Out of PS. Case No.-935 Year-2021 Thana- FORBESGANJ District- Araria

GIRANAND THAKUR Son of Late Bindeshwari Thakur Resident of Village
- Mirzapur, Ward No. 6, P.S. Forbesganj (Simraha), District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Tiwary, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 325, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has antecedent of one case and is a senior citizen aged
about 63 years.

The informant alleges that Babita Devi along with her
daughters, Geeta Devi, Rubi Devi and petitioner were assaulting
his son and when he intervened he was also assaulted and when
his neighbour Kundan Kumar came to save them he was also
assaulted by an iron rod causing injury on head and hand. It is



further alleged that accused persons also took gold ornament and Rs.25,000/-.

Learned counsel for the petitioner submits that petitioner has been falsely implicated by way of afterthought. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation of assault is general and omnibus in nature. It is next submitted that the FIR does not even remotely suggest that it was petitioner who had assaulted Kundan Kumar. It is also submitted that the date of occurrence is 17.11.2021 and the FIR came to be instituted on 20.11.2021 i.e. after delay of three days but still the FIR does not allege that it was petitioner who assaulted Kundan Kumar. It is further submitted that the informant by way of afterthought in his reinstatement had stated that it was petitioner who had assaulted Kundan Kumar causing grievous injury. It is, thus, submitted that since petitioner is the head of the family, as such, he has been falsely implicated in the present case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail 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 from today, be released on anticipatory bail on furnishing bail bonds 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/successor court in connection with Forbesganj (Simraha) P.S. Case No. 935 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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