

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31889 of 2021

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

1. AMRESH THAKUR @ DHAKKAN THAKUR Son of Bajrangi Thakur Resident of Village - Manhara, P.S.- Singheshwar, Dist.- Madhepura.
2. Suresh Thakur Son of Mahraj Thakur Resident of Village - Belo Hata Tola Ward No.01, P.S.- Murliganj, Dist.- Madhepura.
3. Pappu Thakur Son of Mahraj Thakur Resident of Village - Belo Hata Tola Ward No.01, P.S.- Murliganj, Dist.- 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. Nawal Kishore Prasad
For the informant	:	Mr. Durgesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 10-03-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with Murliganj Police Station Case No. 202 of 2020, registered for the offence punishable under Sections 341/323/324/307/379/302/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the petitioners, along with other co-accused persons, assaulted the informant by means of lathi and iron rod on his head, due to which he died in the hospital. The informant further alleged that co-accused Sharwan Thakur inflicted farsha



blow on the head of the informant.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case inasmuch as there was previous land dispute between the parties. He further submits that there is general and omnibus allegation against all the accused persons and specific allegation of assault upon the head of the informant by means of *farsha* is upon co-accused Shrawan Thakur. He further submits that similarly situated co-accused persons, namely, Maharaj Thakur, Sukhdev Thakur and Ranbir Thakur, have been granted bail by co-ordinate Bench of this Court, vide order, dated 15.03.2021, passed in Criminal Misc. No. 204 of 2021. He further submits that the petitioners are in custody since 29.08.2020 and 06.10.2020 respectively and charge sheet has been submitted against them and as such there is no likelihood of the petitioners being abscond and/or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that similarly situated co-accused persons have been granted bail by this Court, no specific allegation is levelled against the petitioners, they are in custody since 29.08.2020 and 06.10.2020



respectively and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail, upon furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Murliganj Police Station Case No. 202 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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