

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28259 of 2022

Arising Out of PS. Case No.-155 Year-2021 Thana- SUGAULI District- East Champaran

1. CHHOTE THAKUR @ CHHOTU THAKUR @ BHAWESH SON OF SANJAY THAKUR R/O VILLAGE- SUGAON, P.S.- SUGAULI, DISTRICT- EAST CHAMPARAN
2. MITHU THAKUR @ MADHUKAR SON OF SANJAY THAKUR R/O VILLAGE- SUGAON, P.S.- SUGAULI, DISTRICT- EAST CHAMPARAN
3. RAHUL THAKUR SON OF RANJAY THAKUR R/O VILLAGE- SUGAON, P.S.- SUGAULI, DISTRICT- EAST CHAMPARAN
4. KUNDAN THAKUR SON OF BACHA BABU THAKUR R/O VILLAGE- SUGAON, P.S.- SUGAULI, DISTRICT- EAST CHAMPARAN
5. SHIV THAKUR SON OF OM PRAKASH THAKUR R/O VILLAGE- SUGAON, P.S.- SUGAULI, DISTRICT- EAST CHAMPARAN
6. JHUNI THAKUR SON OF DIP NARAYAN THAKUR R/O VILLAGE- SUGAON, P.S.- SUGAULI, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

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

The petitioner apprehends his arrest in a case registered for the offence under Sections 143, 447, 323, 324, 341, 325, 307, 325,379, 354(B), 504 and 506 of the Indian Penal Code.

According to the prosecution case, the informant and his son and brother have been assaulted by the



petitioner and others by lathi, danda, iron rod and farsa and they have committed loot in the house of the informant.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case on the basis of suspicion. He further submits that it appears from the F.I.R, there is general and omnibus allegation against the petitioners and no specific allegation of assault is attributed to them except petitioner No.3, Rahul Thakur, who allegedly gave a farsa blow on the son of the informant causing cut injury to his finger of his left hand. He further submits that all the injuries sustained by the injured are simple in nature caused by a hard and blunt substance. He further submits that this case is a counter blast of Sugauli P.S. Case No. 154 of 2021 lodged by the father of the co-accused, Sheo Thakur against the family members of the informant. He also submits that both the parties have sustained injuries. Hence, the petitioners may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the



case, let the, above named, petitioners in the event of arrest of surrender before the court below within a period of four weeks from the date of order 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 Court below where the case is pending in connection with Sugauli P.S. Case No. 155 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

brajesh/-

U		T	
---	--	---	--

