

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51721 of 2022

Arising Out of PS. Case No.-302 Year-2021 Thana- CHHAURADANO District- East
Champaran

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1. Ramji Thakur Son Of Kedar Thakur R/O Village- Dhapahar, P.S.-
Chhauradano, District- East Champaran
 2. Birendra Thakur @ Virendra Thakur Son Of Ambika Thakur R/O Village-
Dhapahar, P.S.- Chhauradano, District- East Champaran
 3. Dhanraj Thakur Son Of Kedar Thakur R/O Village- Dhapahar, P.S.-
Chhauradano, District- East Champaran
 4. Ambika Thakur Son Of Late Kalyan Thakur R/O Village- Dhapahar, P.S.-
Chhauradano, District- East Champaran
 5. Surendra Thakur Son Of Ambika Thakur R/O Village- Dhapahar, P.S.-
Chhauradano, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-12-2022 At the outset learned counsel for petitioners seeks

permission to withdraw the anticipatory bail application with

respect to Ramji Thakur petitioner no. 1 and Birendra Thakur

petitioner no. 2.

Permission is granted. The anticipatory bail

application with respect to petitioner no. 1 and petitioner no. 2 is

dismissed as withdrawn.

Heard learned counsel for the petitioners and learned

counsel for the State.



The petitioner nos. 3, 4 and 5 apprehend their arrest in Chhauradano P.S. Case No. 302 of 2021, registered for the offences punishable under Sections 307, 323 and other allied sections of the Indian Penal Code.

As per the prosecution case, all the FIR named accused persons including petitioners armed with weapons surrounded the informant, thereafter, on the order of co-accused Pappu Kumar and Dhanraj Thakur petitioner no. 3, co-accused Anil Kumar and Asharfi Thakur gave Farsa blow on the head of informant, as a result of which he sustained injury and fell down on the ground. Thereafter, all the accused persons assaulted him with lathi, danda, fist and slaps. Co-accused Sonu Thakur snatched cash of Rs. 5,000/- from the pocket of informant and Raju Thakur snatched his gold chain.

It is submitted that there is no specific allegation against petitioner nos. 4 and 5. There is case and counter case. Both sides sustained injuries. Injuries caused to the injured are simple in nature. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioner nos. 3, 4, and 5 above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to



be enlarged 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 the learned Sub-Divisional Judicial Magistrate, Raxaul at East Champaran, Motihari in connection with Chhauradano P.S. Case No. 302 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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