

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12466 of 2023

Arising Out of PS. Case No.-352 Year-2022 Thana- SURSAND District- Sitamarhi

1. RAM PUKAR THAKUR S/O RAM DAYAL THAKUR Resident of Village- Chandpatti, Ward No.- 11, P.S.- Sursand District- Sitamarhi.
2. UMESH THAKUR S/O RAM PUKAR THAKUR Resident of Village- Chandpatti, Ward No.- 11, P.S.- Sursand District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 68757 of 2022

Arising Out of PS. Case No.-352 Year-2022 Thana- SURSAND District- Sitamarhi

1. RINA DEVI WIFE OF RAMBABU THAKUR, R/O VILLAGE-CHANDPATTI, WARD NO.11 (SURSAND), P.S.- SURSAND, DISTRICT- SITAMARHI
2. SHIV DULARI DEVI WIFE OF LATE LALBABU TAKUR, R/O VILLAGE- CHANDPATTI, WARD NO.11 (SURSAND), P.S.- SURSAND, DISTRICT- SITAMARHI
3. SAROJ THAKUR SON OF RAM PUKAR THAKUR, R/O VILLAGE-CHANDPATTI, WARD NO.11 (SURSAND), P.S.- SURSAND, DISTRICT- SITAMARHI
4. RAMBABU THAKUR SON OF RAM PUKAR THAKUR, R/O VILLAGE- CHANDPATTI, WARD NO.11 (SURSAND), P.S.- SURSAND, DISTRICT- SITAMARHI.

.. ... Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12466 of 2023)

For the Petitioner/s : Mr.Ashok Kumar Jha
Mr. Saurav Anand

For the Opposite Party/s : Mr.Jai Narain Thakur

(In CRIMINAL MISCELLANEOUS No. 68757 of 2022)

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
Mr. Sumit Jha
For the Opposite Party/s : Mr.Nawal Kishore Prasad
Mr. Mahendra Thakur
Mr. Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

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15-05-2023

Heard the learned counsel for the petitioners as well as



the learned Additional Public Prosecutor for the State and also heard the learned counsel for the informant.

The petitioners are seeking regular bail in connection with Sursand P.S. Case No. 352 of 2022, registered for offence punishable under Sections 341, 323, 307, 504, 506, 302/34 of the Indian Penal Code.

As per allegation, twelve named accused persons, including the petitioner, badly assaulted the deceased, Akhilesh Thakur, with iron rod, *Lathi*, *Danda*, etc.

The learned counsel for the petitioners has submitted that the petitioners are innocent and the allegations are general and omnibus. Twelve family members of the petitioners have been made accused and on similar footing, seven co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 67626 of 2022 and the petitioners Ram Pukar Thakur and Umesh Thakur are under custody since 07.12.2022 and the petitioners Rina Devi, Shiv Dulari Devi, Saroj Thakur and Rambabu Thakur are under custody since 14.07.2022.

On the other hand, the learned counsel for the informant has vehemently opposed the prayer for bail and submitted that the accused persons badly assaulted the deceased, resulting into his death.

Considering the above-mentioned facts and



circumstances as well as period of custody and the clean antecedents and also considering that seven co-accused persons have been granted anticipatory bail, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Pupri at Sitamarhi in connection with Sursand P.S. Case No. 352 of 2022, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Mahesh/-

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