

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31550 of 2023

Arising Out of PS. Case No.-50 Year-2021 Thana- BENIPATTI District- Madhubani

SHIVNATH THAKUR @ SHASHINATH THAKUR Son of Jagdish Thakur
Resident of village - Akaur, P.S. - Benipatti, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Benipatti P.S. Case No. 50 of 2021 registered for the offences punishable under Sections 341, 323, 379, 308 & 504/34 of the Indian Penal Code pending in the Court of learned Additional Chief Judicial Magistrate-I, Benipatti.

3. The petitioner in association of other co-accused is said to have assaulted the informant with an intention to kill him.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in



nature. There is admitted land dispute between the parties. Both the parties have filed cases against each other. It is further submitted that there is delay of seven days in lodging the F.I.R. without assigning any cogent reason for the said delay. The Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the injury attributed by the petitioner is grievous in nature, hence the petitioner does not deserve bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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