

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36081 of 2023

Arising Out of PS. Case No.-326 Year-2022 Thana- MASHRAK District- Saran

Ramashankar Thakur, S/O Satyendra Thakur, R/O Village- Karn Kudariya,
P.S- Mashrakh, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-07-2023 Heard Mr. Ravi Prakash, learned counsel appearing
on behalf of the petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Masharakh P.S. Case No. 326 of 2022 registered for the offences punishable under Sections 341, 323, 324, 307, 354(B), 379/34 of the Indian Penal Code.

3. Allegedly while the informant was sitting in her courtyard, all the accused persons, including the petitioner, armed with weapons came there and co-accused Ranjan gave a knife blow in her hand, whereafter petitioner after pressing her neck, on the point of gun, torn the clothes.

4. Learned counsel appearing on behalf of the petitioner submits that both the parties are *Pattidar* and from the narration of the F.I.R. it appears that the occurrence took place



on 02.07.2022, but the F.I.R. has been instituted on 04.07.2022, after a delay of two days. He next submitted that the injury, which is allegedly sustained to the informant, is found to be simple in nature, as is evident from Annexure-2. He further drawn the attention of this Court to Annexure-3 and with reference thereto he submits that prior to the present case co-accused Vimlawati Devi filed Masharakh P.S. Case No. 141 of 2022 against the informant and her family members and they only in order to pressurize the petitioner and his family members instituted the present case. He next submits that even as per the F.I.R. no case is made out under Sections 307 and 326 of the Indian Penal Code.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that there was a previous enmity, coupled with the fact that both the parties are agnates and the petitioner having fair antecedent, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees



ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Mashrakh P.S. Case No. 326 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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