

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38629 of 2023

Arising Out of PS. Case No.-325 Year-2022 Thana- SHAHKUND District- Bhagalpur

FULTUSH THAKUR S/O LATE GANESH THAKUR R/O Vill. Rabichak,
PS. Shahkund (Sajour), Dist. Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-09-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 302, 307 and other allied Sections of the Indian Penal Code.

3. Allegedly, the petitioner and other co-accused persons assaulted the informant and his family members due to which one of the victims died during the course of treatment.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case due to land dispute. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. There is a case and counter case



between the parties and both the parties are agnates. He further submits that co-accused vide order dated 07.07.2023 passed in Cr. Misc. No.38051 of 2023. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as similarly situated co-accused has been granted bail, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Shahkund (Sajour) P.S. Case No.325 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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