

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40421 of 2023

Arising Out of PS. Case No.-312 Year-2022 Thana- ADAPUR District- East Champaran

RAJA THAKUR S/o- CHOKAT THAKUR Village- Inarwa Ps- Adapur Dist-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Pd Singh No.1, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 302, 120(B) and 34 of the Indian Penal Code.

The informant alleges that on orders of petitioner, Arbind assaulted his son by knife causing injury below his neck and back and he died on way to hospital.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that the occurrence had taken place during the time of Chhath and there was a dispute as the deceased had created some ugly scene at the ghat which was objected by Arbind in which an altercation took



place when the petitioner who was also present at the ghat came and intervened to settle and pacify the matter but he was seriously injured on account of assault by knife causing grievous injury, it is next submitted that it was in this background that Arbind snatching the knife from the deceased also assaulted him, it is next submitted that even presuming what has been alleged is true without admitting then petitioner is not alleged to be the assailant of the deceased rather is said to be an order giver but then he himself was injured grievously and was operated in the hospital as would be evident from photographs which was annexed by Annexure- 3 Series to the anticipatory bail application.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner but are not in a position to rebut the submissions of the learned counsel for the petitioner that petitioner also was injured grievously and is not alleged to be the assailant of the deceased.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned trial court where the case
is pending/successor court in connection with Adapur P.S. Case
No. 312 of 2022 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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