

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50176 of 2022

Arising Out of PS. Case No.-120 Year-2021 Thana- MADHEPUR District- Madhubani

1. GAUTAM KUMAR @ GAUTAM THAKUR Son of Hareram Thakur
Resident of village - Pauni, P.S.- Madhepura, District - Madhubani
2. Gaurav Kumar @ Govind Thakur Son of Hareram Thakur Resident of
village - Pauni, P.S.- Madhepura, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anju Mishra, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 11-01-2023 Learned counsel for the petitioners is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable u/s 341, 323, 324, 307,
427, 448/34 of the Indian Penal Code.

As per prosecution case, the petitioners and the co-
accused person came to the courtyard of the informant and
started abusing and attacked the informant, his son and the other
family members. It is further alleged that the petitioner Gaurav



Kumar @ Govind Thakur attacked the son of the informant Sohan thakur with *farsa* and Anil Thakur attacked the informant with sword due to which both, the informant and informant's son sustained injury on their head. Other family members were also severely beaten by the accused persons.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There was case and counter case between the parties. There was free fight between the parties and due to which both parties sustained injuries on their head. The opinion regarding the said injuries was kept in reserve. The allegation against the petitioner no. 2 is that he attacked the informant's son with *farsa* whereas the injuries have been caused by hard and blunt substance. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners by submitting that the son of the informant sustained grievous injury on his head.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be



enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Jhanjharpur in connection with Madhepura P.S. Case No. 120 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

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