

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60374 of 2023

Arising Out of PS. Case No.-291 Year-2022 Thana- BENIPATTI District- Madhubani

ASHOK THAKUR S/O MAHESH THAKUR R/O VILLAGE- RAJIYA
(BARRI), WARD NO. 03, P.S- BENIPATTI, DISTT.- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 379, 307, 354(B), 427 and 435 of the Indian Penal Code.

3. Allegedly, after some altercation, petitioner is said to have given *Garasa* blow on the head of the informant's brother, namely, Sanjiv Thakur due to which he sustained injuries.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Both the parties are agnates. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner



is not specific rather general and omnibus in nature. There is admitted ancestral land dispute between the parties. There is case and counter case between the parties. Both sides have sustained injuries. The injury sustained by the informant's brother is simple in nature as mentioned in para 5 of the bail application. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as the informant's brother, namely, Sanjiv Thakur sustained simple injury, let the above named petitioner, be released on bail, in the event of his 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 Benipatti P.S. Case No. 291 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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