

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73412 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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KESHAV KUMAR THAKUR @ KESHAV THAKUR @ CHOTU THAKUR
Son of Ram Sogarath Thakur R/V- Belaunja, P.S- Patauna (Bisfi) Dist-
Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Niro Devi Wife of Late Rameshwar Thakur R/V- Belaunja, P.S- Patauna
(Bisfi) Dist- Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv.
For the Opposite Party/s : Mr.Dashrath Mehta, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner has filed a
supplementary affidavit before the Court.

Let it be kept on record.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 341, 323, 324,
354(B), 427, 452, 380, 504, 506 and 120(B) of the Indian Penal
Code and Section ¾ of the Prevention of Witch (Daain)
Practices Act.

Allegedly, petitioner along with other accused persons,
came to the complainant and starting calling her Daain. They



assaulted the complainant and her family members. They also took away gold worth Rs. 50,000/- and Rs. 3,200/- from the house of the complainant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. 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 case and counter case between the parties. Both sides have filed cases against each other. It is further submitted that learned Court below took cognizance for the offence u/s 341, 323, 379, 504, 354/34 of the Indian Penal Code against the petitioner by order dated 31.03.2022, which is also mentioned in Annexure-3 of supplementary affidavit. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, 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 C.R. Case No. 33 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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