

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.368 of 2023

Arising Out of PS. Case No.-257 Year-2022 Thana- CHIRAIYA District- East Champaran

1. JOGENDRA THAKUR @ YOGENDRA THAKUR Son of Late Ramashish Thakur R/v- Lalbegia, P.S.- Chiraiya, District- East Champaran
2. GAJENDRA THAKUR Son of Late Chandip Thakur @ Chandradip Thakur R/v- Lalbegia, P.S.- Chiraiya, District- East Champaran
3. BRIJESH THAKUR @ BRIJESH KUMAR Son of Yogendra Thakur @ Jogendra Thakur R/v- Lalbegia, P.S.- Chiraiya, District- East Champaran
4. SURESH @ SURESH THAKUR Son of Gajendra Thakur R/v- Lalbegia, P.S.- Chiraiya, District- East Champaran
5. MUKESH THAKUR Son of Late Nagina Thakur @ Nagendra Thakur R/v- Lalbegia, P.S.- Chiraiya, District- East Champaran
6. CHUNNI THAKUR @ CHUNNILAL THAKUR Son of Late Chandip Thakur @ Chandradip Thakur R/v- Lalbegia, P.S.- Chiraiya, District- East Champaran
7. DHARAM THAKUR @ RAJENDRA THAKUR Son of Late Chandip Thakur @ Chandradip Thakur R/v- Lalbegia, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-04-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application so far as petitioner no. 5 (Mukesh Thakur) is concerned.

Permission is accorded. This petition is dismissed in respect of petitioner no. 5.

Heard learned counsel for the petitioners and State.



The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 447, 379, 427, 354(B), 504/34 of the Indian Penal Code.

Prosecution case, in brief, is that on 23.05.2022 at about 6:00 AM, petitioners alongwith other F.I.R. named accused persons came at the door of the informant and started abusing him and thereafter, starting breaking wall of informant with *khanti* and on protest, all of them assaulted him and other family members and also snatched cash and jewellery.

It is submitted on behalf of petitioners that both parties are *gotiya* and prosecution party tried to grab the land of the petitioners after making construction over the land of petitioners, on account of which, hot talk took place between them and prosecution party also assaulted the petitioners and other family members, for which, a complaint, vide Complaint Case No. 197-C of 2022 was lodged by petitioner no. 7 (Dharam Thakur @ Rajendra Thakur) against informant and others. It is next submitted that specific accusation of assault is against co-accused Omkar Thakur. Petitioners claim clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.



Considering the aforesaid facts and circumstances, let the above named petitioners no. 1, 2, 3, 4, 6 and 7, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikrahna at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 257 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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