

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1566 of 2023

Arising Out of PS. Case No.-208 Year-2022 Thana- SIMRI District- Darbhanga

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DHARMENDRA THAKUR Son of Late Ram Avtar Thakur Resident of
village - Bastawara, P.S.- Simri, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nirbhay Prashant, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-04-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

2. Heard learned counsel for the petitioner and the learned APP for the State.

3. Petitioner seeks regular bail in connection with Simri P.S. Case No. 208 of 2022 dated 06.11.2022 registered for the offences punishable under Sections 143, 448, 323, 354, 308, 427 and 504/34 of the Indian Penal Code.

4. The main submissions advanced by petitioner's counsel are that in the present matter, the informant is stated to be injured and on his person three injuries have been found, out of them two have been opined to be simple injury and one has



been opined to be grievous in nature but the same has been found on non-vital part of his body and there is case and counter case in between both the parties and a land dispute is admittedly running in between them and the alleged offences punishable under Sections 354 and 308 of I.P.C., under which the FIR has been registered, are only non-bailable but these said offences don't attract in this case on account of lacking the main ingredients which are necessary to constitute the said offences and moreover in the FIR, there is no specific allegation against the petitioner and he has fair and clean antecedent.

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

6. Considering the above submissions made by learned counsel for the petitioner, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Simri P.S. Case No. 208 of 2022.

(Shailendra Singh, J)

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