

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6651 of 2024

Arising Out of PS. Case No.-197 Year-2021 Thana- BABUBARHI District- Madhubani

Sital Thakur @ Sital Kumar Thakur @ Sheetal Kumar Thakur Alias @
Thakur Son of Ram Sagar Thakur Resident of Village- Baruar, Ps- Babubarhi,
Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha, Adv.

For the Opposite Party/s : Ms.Anita Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Babubarhi P.S. Case No. 197 of 2021 instituted for the offences under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

3. As per prosecution case, the allegation against the accused persons including the petitioner is of assaulting the son of the Informant by means of Dabiya and Farsa with an intention to kill him and after assault, they threw him.

4. The petitioner had earlier moved before this Court with a prayer for anticipatory bail on two occasions in Cr. Misc. No. 4221 of 2022 which was rejected on 14.07.2022 and



another in Cr. Misc. No. 61549 of 2023 which was dismissed as withdrawn on 15.09.2023 with a liberty to surrender before the court below within a period of six weeks from the date of the order.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He submits that the occurrence took place on 24.08.2021 but, the F.I.R. was lodged on 27.08.2021 i.e. after delay of about 3 days and there is no cogent explanation for such delay. The Informant is not the eye-witness to the occurrence and there is no specific allegation of assault against the petitioner rather the same is general and omnibus in nature. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 12.10.2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of



the like amount each to the satisfaction of Court
below/concerned Court in connection with Babubarhi P.S. Case
No. 197 of 2021 .

(Rudra Prakash Mishra, J)

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