

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17645 of 2024

Arising Out of PS. Case No.-162 Year-2023 Thana- RAJEPUR District- East Champaran

Awadhesh Thakur, aged about 49 years, Male, Son of Late Madan Thakur,
Resident of Village- Madhuawa brit, P.S.- Rajepur, District - East Champaran,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhanshu Prakash, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-03-2024 Heard Mr. Sudhanshu Prakash, learned counsel

appearing on behalf of the petitioner and Dr. Indihar Kumari,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Rajepur P.S. Case No. 162 of 2023, registered for the
offence punishable under Sections 147, 149, 341, 323, 324, 325,
307, 427, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, all the
accused persons including the petitioner had assaulted the
informant and his cousin brother and had also snatched Rs.
50,000/- from the pocket of the cousin brother of the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and have falsely



been implicated in the present case. Informant has made false accusation against the petitioner. The petitioner and informant are agnate and there is long standing land dispute between the parties. He further submitted that injuries sustained by the informant and his cousin brother are simple in nature and in this regard, petitioner has brought on record injury report by way of 'Anneuxre-2' duly issued by the M.O.I.C., Primary Health Centre, Madhuban. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR against the petitioner, as well as, the fact that the petitioner and informant are agnate and there is long standing land dispute between the parties. He further submitted that injuries sustained by the informant and his cousin brother are simple in nature and in this regard, petitioner has brought on record injury report by way of 'Anneuxre-2' duly issued by the M.O.I.C., Primary Health Centre, Madhuban. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be



released on pre-arrest bail, in the event of his/her arrest or surrender before the Court below within a period of four 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 learned Judicial Magistrate Sadar, East Champaran at Motihari, in connection with Rajepur P.S. Case No. 162 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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