

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21066 of 2024

Arising Out of PS. Case No.-578 Year-2022 Thana- SURSAND District- Sitamarhi

Sharwan Kumar Thakur @ Sharwan Kumar @ Shrawan Thakur S/o Late
Chandeshwar Thakur R/o vill - Radhaur, P.s. - Sursand, Distt - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

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

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

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sursand
P.S. case No. 578 of 2022 instituted for the offences under
Sections 341, 323, 324, 307, 379, 504, 506, 447/34 of the
Indian Penal Code.

3. Prosecution case, in short, is that the accused
persons including the petitioner, variously armed came to the
house of the informant and started abusing and assaulting him.
It is further alleged that this petitioner gave *farsa* blow on the
head of the informant. It is also alleged that this petitioner also
took out Rs. 5600/- from the pocket of the informant and
snatched golden locket from his son.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that on a petty dispute, altercation took place and both sides sustained injuries. Petitioner himself got injured in the occurrence. There is case and counter-case between the parties. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.01.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and stated that there is specific allegation on this petitioner of assaulting the informant by means of *farsa* on his head. Learned APP further submitted that the injury sustained by the informant is grievous in nature.

6. Considering the aforesaid facts and circumstances of the case, case and counter-case, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Sursand P.S. case



No. 578 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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