

Arising Out of PS. Case No.-245 Year-2023 Thana- BASOPATTI District- Madhubani

- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mrs. Vaishnavi Singh
Mr. Ajay Kumar Thakur
Mr. Ritwik Thakur
For the Opposite Party/s : Mr. Jharkhandi Upadhyay

ORAL ORDER

2. The petitioners apprehends their arrest in connection with Basopatti P.S Case No. 245 of 2023 registered for the offences punishable under Sections 323, 341, 354(B), 379, 324, 307, 504, 506/34 of the Indian Penal Code.

3. As per the allegation, on 01.11.2023 around 10:30 AM, petitioner was irrigating the land of the informant, upon raising objection the petitioner no. 2 Brahamdeo Yadav called the rest of the accused and on order they attacked on the head of the informant with a spade with an intention to kill him causing



injuries.

4. Learned counsel for the petitioner submits that petitioners have falsely been implicated in this case. He further submits that the allegations against the petitioners are general and omnibus in nature. Learned counsel further submits that there is a case and counter case.

5. Learned counsel for the State opposes the prayer for bail of the petitioners.

6. On perusal of the Annexure -P/6 it appears that the petitioner no. 1 Ranjeet Thakur @ Ranjeet Kumar Thakur is a person with disability and he has permanent impairment of speech and hearing and as per the certificate he has been declared to be 50% disabled with no chance of any improvement. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner no. 1 Ranjeet Thakur @ Ranjeet Kumar Thakur, let the above named petitioner no. 1 Ranjeet Thakur @ Ranjeet Kumar Thakur be released on bail in the event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with



Basopatti P.S Case No. 245 of 2023 subject to the condition laid down under Section 438(2) of Cr.P.C.

7. On perusal of first information report, injury report and impugned order dated 01.02.2024, it appears that there is specific allegation of assault on the informant and her family members is on petitioner no. 2 Brahamdeo Thakur by spade, injury is on the vital part of the body and the CT Scan also recorded fracture, supporting the prosecution story.

8. Accordingly, the prayer for anticipatory bail of the petitioner no. 2 Brahamdeo Thakur is **hereby rejected**.

(Ramesh Chand Malviya, J)

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