

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26831 of 2024

Arising Out of PS. Case No.-141 Year-2023 Thana- CHACKMEHSI District- Samastipur

1. Krishna Kumar @ Tittu @ Rinku @ Rikku @ Tikku Son of Umashankar Thakur Resident of Village- Shri Nath Paran, PoliceStation- Chakmehsi, Dist.- Samastipur
2. Bhola Thakur @ Ravishankar Thakur @ Bhola Kumar Son of Ramashankar Thakur @ Rama Shankar Thakur Resident of Village- Shri Nath Paran, PoliceStation- Chakmehsi, Dist.- Samastipur
3. Raja Kumar @ Bal Mukund @ Bal Mukund Kumar son of Ramashankar Thakur @ Rama Shankar Thakur Resident of Village- Shri Nath Paran, PoliceStation- Chakmehsi, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Chakmehsi P.S. Case No. 141 of 2023, instituted for the offence punishable under Sections 341, 323, 307, 447, 354, 379, 504, 506/34 of the Indian Penal Code.

3. The allegation against petitioner no. 1 Krishna Kumar is that he with an intention to kill the informant assaulted the informant on his head with iron rod causing injury as a result of which, blood was oozing out and when he raised alarm then



wife of informant came for rescue, thereafter, petitioner no. 2 Bhola Thakur caught her hair and assaulted her with fists and slaps. Petitioner no. 3 Raja Kumar disrobed her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that a counter case has been lodged by father of the petitioner no. 1 against the informant and his family members *vide* Chakmehsi P.S. Case No. 142 of 2023. Both the sides are next door neighbours. It is submitted that injury report of Manoj Kumar (informant) shows one lacerated wound over the frontal head incised injury with four stitches caused by sharp cutting substance. The nature of injury is simple in nature. It is submitted that injury report doesn't support the allegation of the prosecution. It is further submitted that the matter has been settled outside the court and a compromise petition along with permission petition dated 29.11.2023 has been filed before the concerned court. Lastly, it has been submitted that they have no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Chakmehsi P.S. Case No. 141 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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