

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27472 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- CHIRAIYA District- East Champaran

1. Shambhu Thakur @ Sahdev Thakur Son of Late Sitaram Thakur
 2. Manmohan Kumar @ Manmohan Thakur Son of Shambhu Thakur @ Sahdev Thakur
 3. Sudhir Kumar @ Sudhir Thakur Son of Shambhu Thakur @ Sahdev Thakur
- All are R/o Village- Pareva Turha Toli, P.S.- Sikarganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP
Mr. Karandeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2024 1. Heard learned counsel for the petitioners, learned
2 APP for the State along with learned counsel appearing on
2 behalf of the informant.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 307, 354(B), 504, 506 and 34 of the Indian Penal Code in connection with Chiraiya (Shikarganj) P.S. Case No.303 of 2023.

3. The learned counsel for the petitioners submit
petitioners are persons with clean antecedent and has been
falsely implicated in the instant case on account of dispute
relating to land.



4. It is further submitted that petitioners and the informant are agnates and the informant alleges that on 19.06.2023 Shambhu Thakur was constructing terrace over the wall which was in the share of the informant and accordingly the same was objected for which a panchayati was conducted and thereafter the petitioner came and started abusing and assaulting the informant and Sudhir Thakur assaulted the informant by iron rod, causing injury on head, thereafter Manmohan Kumar assaulted his son by iron rod causing injury on head and Sudhir Kumar is alleged to have assaulted another son of the informant by 'Kudal' causing injury on head and also tore the cloths of the daughter-in-law of the informant and Manmohan is alleged to have also snatched the golden 'Mangalsutra' of his daughter-in-law.

5. The learned counsel submits that on account of dispute relating to land in the panchayati, altercation took place in which both sides assaulted each other and from the side of the petitioners also Chiraiya (Shikarganj) P.S. Case No.302 of 2023 was instituted and thereafter the informant instituted the present case by way of counterblast.

6. It is next submitted that the injury suffered by the injured is simple in nature, which amply demonstrates that



petitioners never had any intention of committing a serious occurrence.

7. The learned APP along with learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel for the petitioner that the injuries suffered by the injured is simple in nature.

8. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Sikrahana at Dhaka, East Champaran in connection with Chiraiya (Shikarganj) P.S. Case No.303 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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