

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30802 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- JOGAPATTI District- West Champaran

1. Lalbabu Thakur, Son Of Late Hoshila Thakur Resident Of Village- Gora Bahuarwa, PS- Shanichari, Dist- West Champaran
2. Mahabir Thakur, Son Of Late Hoshila Thakur Resident Of Village- Gora Bahuarwa, Ps- Shanichari, Dist- West Champaran
3. Nawneet Thakur @ Nawneet Kumar, Son Of Shyamji Thakur Resident Of Village- Gora Bahuarwa, Ps- Shanichari, Dist- West Champaran
4. Sahil Thakur @ Priya Ratan, Son Of Sri Mahabir Thakur Resident Of Village- Gora Bahuarwa, Ps- Shanichari, Dist- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha
Mr. Sharad Kumar Verma
For the Opposite Party/s : Mr. Shyam Kumar Singh- A.P.P.
Mr. Vishwajeet Kumar Mishra
Mr. Aakash Choudhary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-05-2024 1. Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 504 and 506 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioner no.2 has antecedent of one case and rest of the petitioners are persons with clean antecedent and on account of



dispute relating to property, the present occurrence is alleged to have taken place. It is next submitted that from perusal of the allegations as alleged in the F.I.R., it would manifest that the informant alleges that the accused persons including the petitioners came variously armed and Shyamji Thakur assaulted the son of the informant Uttam Debey by *Bakhua* causing injury on his head and thereafter, also assaulted his mother and thereafter, all the accused persons are alleged to have assaulted other family members of the informant.

4. The learned counsel for the petitioners submits that allegation of assault is specific against Shyamji Thakur and as far as these petitioners are concerned, the allegation against them is general and omnibus in nature. It is further submitted that Uttam Dubey received grievous injury, but then, specific allegation of assaulting him is against Shyamji Thakur.

5. Learned A.P.P. and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application and submits that informant along with other family members were assaulted by the side of the petitioners and two persons from the side of the informant received grievous injury, on which the learned counsel appearing on behalf of the petitioners submits that specific allegation of assaulting Uttam



Dubey and mother of the informant is against Shyamji Thakur.

6. The learned counsel appearing on behalf of the informant further submits that in the event, if anticipatory is granted to the petitioners, they may abscond, on which learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the investigation.

7. 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 bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Jogapatti (Shanichari) P. S. Case No.28 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

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