

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34279 of 2024

Arising Out of PS. Case No.-159 Year-2021 Thana- KATRA District- Muzaffarpur

1. Dev Chandra Thakur Son Of Bikau Thakur Resident Of Village-
Lakhanpur, P.S.- Katra , District-Muzaffarpur
2. Ranjeet Thakur @ Ranjeet Kumar Son Of Shivdhar Thakur Resident
Of Village- Lakhanpur, P.S.-Katra , Dist- Muzaffarpur
3. Lal Babu Thakur @ Manoranjan Thakur Son Of Shivdhar Thakur
Resident Of Village- Lakhanpur, P.S.-Katra , Dist- Muzaffarpur
4. Soman Devi @ Suman Devi Wife Of Ranjeet Thakur Resident Of
Village- Lakhanpur, P.S.-Katra , Dist- Muzaffarpur
5. Chandan Devi Wife Of Shivdhar Thakur Resident Of Village-
Lakhanpur, P.S.-Katra , Dist- Muzaffarpur
6. Manju Devi @ Anju Devi Wife Of Santosh Thakur Resident Of
Village- Lakhanpur, P.S.-Katra , Dist- Muzaffarpur
7. Permila Devi Wife Of Dev Chandra Thakur Resident Of Village-
Lakhanpur, P.S.-Katra , Dist- Muzaffarpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Advocate
For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-05-2024 Heard learned counsel appearing on behalf of the

petitioners and Mr. Ram Bilash Roy Raman, learned A.P.P.

for the State.

2. Petitioners seek bail in connection with Session

Trial No. 111/2022 arising out of Katra P.S. Case no. 159 of

2021 registered for the offences under Sections 147, 148,

149, 341, 323, 307, 325, 354, 379, 504, 506 and added



section 302 of the Indian Penal Code.

3. The petitioners are named in the First Information Report and are in custody since 09.01.2024.

4. Allegation against the petitioners is to commit murder of husband of the informant alongwith 13 other named co-accused persons by causing bodily injury while making assault with iron rod, lathi etc.

5. It is submitted by learned counsel appearing on behalf of the petitioners that allegation against petitioners is very much general and omnibus regarding physical assault rather, the allegation, which appears specific against the petitioners is to snatch 'Mangalsutra' and also to advancing threat to informant as not to lodge any complaint regarding the occurrence. It is also submitted that the occurrence was also free-fight in nature for which, where first case was registered by petitioners' side which was registered as Katra P.S. Case No. 158/2021 dated 30.06.2021 and, as the occurrence *prima-facie* is free-fight in nature, therefore, it can be gathered safely that petitioners were not under intention to cause death of husband of the informant, where



both parties appears to received injury. While concluding argument, learned counsel submits that petitioners are men of clean antecedent and, moreover, investigation of this case is completed and charge-sheet has been submitted, therefore, there is no chance of tampering with the evidence.

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

7. Considering the aforesaid factual submission and by taking note of the fact that allegation *qua* physical assault against the petitioners is very much general and omnibus, where occurrence appears *prima-facie* is free-fight in nature with limited allegation as to snatching of 'Mangalsutra' and advancing threat to the informant, where petitioners are in custody since 09.01.2024 coupled with the fact that investigation of this case is completed and charge-sheet has already been filed, accordingly, above-named petitioners are directed to be released on bail in connection with Session Trial No. 111/2022 arising out of Katra P.S. Case No. 159 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two



sureties of the like amount each to the satisfaction of
learned Additional Sessions Judge – 20th, Muzaffarpur,
subject to the condition as laid down under Section 437 (3)
Cr.P.C.

(Chandra Shekhar Jha, J.)

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