

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42098 of 2024

Arising Out of PS. Case No.-56 Year-2024 Thana- SUGAULI District- East Champaran

1. RUPNARAYAN THAKUR SON OF BUDHAN THAKUR RESIDENT OF VILLAGE - SHRIPUR, GOPALPUR, P.S. - SUGAULI, DISTRICT - EAST CHAMPARAN
2. AWADHKISHOR THAKUR @ AWADH THAKUR SON OF KHUVLAL THAKUR RESIDENT OF VILLAGE - SHRIPUR, GOPALPUR, P.S. - SUGAULI, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Kundan Rathore, Advocate
For the State : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

3. As per prosecution case, on the dictates of Petitioner No. 1, Petitioner No. 2 assaulted Raghav Chaudhary and Ram Anuj Thakur.

4. It is submitted by learned counsel appearing on behalf of the petitioner that on account of land dispute between the parties, a free fight took place between them in which both sides sustained injuries. There is case and counter-case between



the parties. There is no allegation of assault against Petitioner No. 1.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that these petitioners are named in the F.I.R. and the injuries caused by Petitioner No. 2 have been opined to be grievous in nature. It is further submitted that petitioners have also got one criminal antecedent.

6. Considering the aforesaid facts and circumstances, nature of injuries sustained by the injured and criminal antecedents of the petitioners, the prayer for grant of anticipatory bail to Petitioner No. 2 is rejected.

7. So far as Petitioner No. 1 is concerned, considering the aforesaid facts and circumstances and nature of accusation, the prayer for grant of anticipatory bail to Petitioner No. 1 is allowed.

8. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named Petitioner No. 1 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran, in connection with Sugauli P.S. Case No. 56 of



2024, subject to condition as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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