

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57260 of 2023

Arising Out of PS. Case No.-168 Year-2020 Thana- KARJA District- Muzaffarpur

1. Shivji Thakur Son Of Late Mushri Lal Thakur Resident Of Village- Naya Tola Basantpur, Ps- Karja, Distt- Muzaffarpur
2. Lakhindra Sharma Son Of Late Mahadev Thakur Resident Of Village- Naya Tola Basantpur, Ps- Karja, Distt- Muzaffarpur
3. Suresh Sharma Son Of Sri Lakhindra Sharma Resident Of Village- Naya Tola Basantpur, Ps- Karja, Distt- Muzaffarpur
4. Rajendra Sharma Son Of Late Mahadev Thakur Resident Of Village- Naya Tola Basantpur, Ps- Karja, Distt- Muzaffarpur
5. Naresh Sharma Son Of Sri Lakhindra Sharma Resident Of Village- Naya Tola Basantpur, Ps- Karja, Distt- Muzaffarpur
6. Jitendra Sharma @ Jitendra Kumar Son Of Sri Lakhindra Sharma Resident Of Village- Naya Tola Basantpur, Ps- Karja, Distt- Muzaffarpur
7. Prasad Thakur Son Of Late Lagan Thakur Resident Of Village- Naya Tola Basantpur, Ps- Karja, Distt- Muzaffarpur
8. Uday Sharma Son Of Prasad Thakur Thakur Resident Of Village- Naya Tola Basantpur, Ps- Karja, Distt- Muzaffarpur
9. Vikranjan Thakur @ Vikranjan Kumar Son Of Shivji Thakur Resident Of Village- Naya Tola Basantpur, Ps- Karja, Distt- Muzaffarpur
10. Krihsna Thakur Son Of Late Faguni Thakur Resident Of Village- Naya Tola Basantpur, Ps- Karja, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : Mr. Md. Matloob Rab, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 379, 427 and 504/506 of the Indian Penal



Code in which charge-sheet has been submitted u/s 147, 149, 341, 323, 325, 308, 427 and 504/506 of the I.P.C..

3. Allegation against the petitioners is of assaulting the informant and his wife by means of lathi, danda and farsa. It is further alleged that they have damaged his splendor motorcycle and also took away many articles kept at Bathan of the informant. In this occurrence informant suffered loss of Rs. one lakh.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature except petitioner no.1 assaulted with iron rod on the head of the informant. He further submits that petitioners were given the benefit of u/s 41 A of the Cr.P.C.. Earlier F.I.R. has been lodged u/s 307 and other sections of the I.P.C and later on the police has filed a charge-sheet u/s 308 and other sections of the I.P.C. against the petitioners, thereafter, petitioners have filed anticipatory bail before the learned court below, on the ground of allegation that petitioners have no apprehension of arrest. Petitioners have no criminal antecedent as mentioned in para-3 of this application.



5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the fact that there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Karja P.S. Case No. 168 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

annpurna/-

U		T	
---	--	---	--

