

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68413 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- BUNIYAD GANJ District- Gaya

Shambhu Thakur @ Shambhu Thakuar Son of Dwarika Thakur R/O Vill.-
Naudhariya, P.S.- Buniyadganj, Dist.- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pintu Kumar Patel, Adv.

For the Opposite Party/s : Mr.Ram Naresh Raym, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-10-2024 Heard Learned Counsel for the petitioner and

Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Buniyadganj P.S. Case No.95 of 2024 lodged dated 26.04.2024
under Section 341, 323, 324, 307, 504, 506 and 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against 7 named accused persons including the petitioner
against whom there is allegation that the informant was working
in his field. In the meantime, all accused persons have reached
there and open their cows for grazing in the field of informant.
Upon oppose, they started assaulting the informant, his wife and
son, and subsequently, they have attacked on the informant due
to which head injury has been caused and he became
unconscious. It has also alleged that they had attacked by axe on



the head of the informant's son and he also became unconscious.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that from bare reading of the F.I.R., it becomes crystal clear that the informant and all accused persons are resident of same village and well-known to each other.

5. Learned Counsel further submits that the cause of dispute is disclosed in the F.I.R. that it is due to the agricultural work. He further submits that there is no specific allegation against of the accused persons rather a general and omnibus allegation against them.

6. Learned Counsel further submits that petitioner is in custody since 29.05.2024 having clean antecedent. He further submits that injury report of the informant and his son has been annexed in the bail petition. He submits that injury of the informant has been made by hard and blunt substance and injury of his son was simple in nature.

7. Upon specific query what is the stage of the trial. Counsel submits that he is not aware of the fact that what is the stage of the trial in this case.

8. Learned Counsel for the State opposes the prayer



for bail and submits that there is specific allegation against the petitioner that he along with accused persons has assaulted the informant and his family. From the case diary, it transpires that the injury is grievous in nature.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Gaya in connection with Buniyadganj P.S. Case No.95 of 2024, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

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