

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74873 of 2024

Arising Out of PS. Case No.-63 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

1. Rekha Devi W/o- Mahabir @ Pawan Thakur @ Pawan Kumar R/o- Chotka Kalyanpur Chanda Ps- Udwanthnagar District- Bhojpur
2. Lilawati Devi W/o- Dinkar Dayal Thakur @ Dinkar Dayal Prasad R/o- Chotka Kalyanpur Chanda Ps- Udwanthnagar District- Bhojpur
3. Dinkar Dayal Thakur @ Dinkar Dayal Prasad Late Ram Chandra Thakur @ Late Ramchandra Prasad R/o- Chotka Kalyanpur Chanda Ps- Udwanthnagar District- Bhojpur
4. Sunil Kumar @ Abhishek Kumar S/o- Dinkar Dayal Thakur @ Dinkar Dayal Prasad R/o- Chotka Kalyanpur Chanda Ps- Udwanthnagar District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-11-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Udwanthnagar P.S. Case no. 63 of 2024, registered under sections 307, 341, 323, 379, 448, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the six named accused persons including the four petitioners herein came to separate the children of the two families who had entered into altercation. Soon thereafter, it is



stated that the occurrence took a turn and on the instigation of the petitioner no.3, Mahabir @ Pawan Thakur assaulted with a *lathi* causing injury on the head of Runa Devi.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The cause of occurrence as would be evident from the contents of the FIR itself, was an altercation between children of both the sides. The sole allegation is against co-accused Mahabir @ Pawan Thakur who is not a petitioner herein. The allegations against others are general and omnibus in nature. There is case and counter case between the parties and the petitioners have no criminal antecedent. They undertake to cooperate in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State, who submits that the petitioners are named in the FIR and there is allegation of assault against them. It is further submitted that though the injuries are simple in nature, however the injury report cannot be relied upon for the reason that the same are photocopies of the case diary.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioners in the F.I.R, the specific allegation being against co-accused Mahabir @ Pawan Thakur together with the petitioners



not having any criminal antecedent, it is directed that all the four petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Udwantnagar P.S. Case no. 63 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara.

(Partha Sarthy, J)

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