

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47589 of 2024

Arising Out of PS. Case No.-276 Year-2023 Thana- BIRAUL District- Darbhanga

Sudama Thakur, Son of Kori Thakur, R/o Village- Parri, Post- Parri, P.S.-
Biraul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 75326 of 2024

Arising Out of PS. Case No.-276 Year-2023 Thana- BIRAUL District- Darbhanga

Giridhari Thakur, Son of Sudama Thakur, Resident of Village- Parari, Police
Station -Biraul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 47589 of 2024)
For the Petitioner/s : Mr. Pramod Mishra, Advocate
Mr. Suraj Kumar, Advocate
Mr. Prasoon Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP
Mr. Ajay Kumar, Advocate
(In CRIMINAL MISCELLANEOUS No. 75326 of 2024)
For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP
Mr. Ajay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 425-10-2024
1. Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

2. The petitioner Sudama Thakur has preferred the
application for grant of anticipatory bail apprehending his arrest
while the petitioner Giridhari Thakur has moved the application
for grant of regular bail, both in connection with Biraul P.S.



Case no. 276 of 2023 registered under sections 307, 354B, 341, 323, 379, 504 , 506 and 34 of the Indian Penal Code.

3. As per prosecution case, the informant states that five named accused persons including the two petitioners herein had given threats about one month back that they were *rangdars* of the village and that the informant would have to pay *rangdari* of Rs.50,000/- or else she would be killed. She would also not be permitted to construct her house. It is further stated that on 11.6.2023, all the accused persons came and assaulted her son Navneet Jha. Giridhari Thakur is said to have struck with an iron rod on the head of the son of the informant as a result of which he fell down injured. The informant was also pushed and her clothes torn. It is further stated that in an injured condition, Sudama Thakur put a towel around her son's neck and pulled him around. He was taken for treatment to D.M.C.H. from where he was referred to P.M.C.H. and the treatment is going on.

4. Learned counsel for the petitioner Sudama Thakur submits that he has been falsely implicated in the case. The main allegation is against co-accused Giridhari Thakur. The allegation against him is not substantiated from the injury report. The petitioner has no criminal antecedent and as such he



be enlarged on anticipatory bail.

5. Learned counsel appearing for the petitioner Giridhari Thakur submits that this petitioner has been falsely implicated in the case for oblique reasons. He is in custody for over one year since 16.9.2023 and charge-sheet has been submitted in the case.

6. The applications for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioners are named in the F.I.R but there is direct allegation against them of having participated in the occurrence leading to serious injuries and the same is on a vital part of the body.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the F.I.R. together with the material that has transpired in course of investigation and the submissions made on behalf of the two petitioners, the petitioner Giridhari Thakur having remained in custody for more than one year since 16.9.2023, charge-sheet having been submitted and the petitioner Sudama Thakur not having any criminal antecedent, the Court is inclined to allow the instant applications.

8. It is directed that the petitioner Sudama Thakur in



the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Biraul P.S. Case no. 276 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Biraul, District-Darbhangha.

9. The petitioner Giridhari Thakur is directed to be enlarged on regular bail in connection with Biraul P.S. Case no. 276 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Biraul, Darbhanga.

(Partha Sarthy, J)

avinash/-

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

