

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80547 of 2023**

Arising Out of PS. Case No.-811 Year-2022 Thana- SARAIYA District- Muzaffarpur

SHIV NANDAN THAKUR SON OF CHANDESHWAR THAKUR  
RESIDENT OF VILLAGE - NARANGI JIUNATH, POLICE STATION -  
SARAIYA, DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Dilip Kumar No. 1

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      28-03-2024                      1. Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offence punishable under Sections 147, 148,  
149, 341, 323, 307, 504 and 506 of the Indian Penal Code.

3. The court completely fails to appreciate that as to  
why the injury report till date has not been sent to this court  
despite order dated 18.12.2023 and 22.02.2024. The court will  
not wait endlessly for the injury report for deciding the case.

4. Learned counsel for the petitioner submits that  
petitioner has been falsely implicated in the instant case on  
account of dispute relating to land in between the side of the  
petitioner and the informant. It is further submitted that



petitioner has been falsely implicated in the instant case by the informant. It is also submitted that from perusal of the allegation as alleged in the F.I.R, it would manifest that the informant alleges that petitioner assaulted Rajendra Thakur by bhala and thereafter it is alleged that petitioner assaulted Yogendra Thakur with hockey stick causing injury on his head. It is next submitted that informant very wisely implicated the petitioner. It is further submitted that no doubt it has been alleged in the F.I.R. that petitioner assaulted Rajendra by bhala but then the F.I.R. does not disclose on which part of the body he was assaulted. It is next submitted that if the petitioner was carrying bhala then how he could have assaulted Yogendra Thakur with hockey stick. It is next submitted that the submission is enough to create a doubt in the mind of the court.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Saraiya P.S. Case No.811/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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