

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81039 of 2023

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

1. Sudama Thakur Son Of Ramnath Thakur Resident Of Village- Narangi Jiunath, Ps- Saraiya, Distt- Muzaffarpur
2. Pawan Kumar @ Pawan Thakur Son Of Shiv Nandan Thakur Resident Of Village- Narangi Jiunath, Ps- Saraiya, Distt- 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 19-03-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant along with the family members. It is further submitted that the occurrence is alleged to have taken place on account of dispute relating to land as petitioners and the informant are agnates. It is



further submitted that altogether 22 persons have been made accused in the instant case and the allegation against Sudama Thakur (petitioner no.1) is of assaulting Surendra Thakur by an iron rod causing injury on head. It is further submitted that Surendra Thakur was assaulted by Sudama Thakur and Devendra Thakur. It is further submitted that petitioner no.2 Pawan Kumar @ Pawan Thakur (petitioner no.2) is alleged to have assaulted Arvind Thakur by an iron rod on head causing injury. It is next submitted that the injury suffered by Arvind Thakur is simple in nature, but as far as injury suffered by Surendra Thakur is concerned, the same is not there in the case diary.

4. Learned A.P.P. opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-4th, West, Muzaffarpur in connection with Saraiya P. S. Case No.811



of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. However, it is made clear that the learned trial Court before accepting the bail bonds of the petitioners shall verify the injury of the injured and in the event, if it is found that the injury suffered by the injured is grievous in nature, in that event, the bail bonds of the petitioners shall not be accepted, but if the injury suffered by the injured is simple in nature, in that event, the bail bonds of the petitioners shall be accepted forthwith.

(Satyavrat Verma, J)

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