

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85760 of 2023

Arising Out of PS. Case No.-457 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Shravn Thakur @ Shravan Kumar, Son of Late Raghuni Thakur,
 2. Roshan Thakur, Son of Shankar Thakur,
 3. Rohit Thakur @ Rohit Kumar, Son of Lalo Thakur
 4. Gamgam Thakur @ Kamal Kumar @ Gamgam Kumar, Son of Lalo Thakur
All are residents of Village- Rachiyahi Kacharitol, P.S.- Mufassil (Singhaul
O.P.), Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Perna Anand, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Mufassil P.S. Case No. 457 of 2023 registered for the alleged offences under Sections 143, 341, 323, 307 and 504 of the Indian Penal Code.

3. As per prosecution case, when the informant asked the petitioner Shravan Thakur and other co-accused persons for constructing the house after division of land of their share, they abused and assaulted with fists and slaps. Thereafter, other petitioners and their wives assaulted the informant with bamboo



and when the wife of the informant tried to save him, she was also assaulted by co-accused persons with *khanti*.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case and from the FIR, land dispute is admitted. There is only general and omnibus allegation against the petitioners along with some other co-accused persons and specific allegation of giving *khanti* blow is against co-accused Shankar Thakur and Pramod Thakur. However, injury reports of the victims show simple injuries. Moreover, from the FIR, it is clear that no offence under Section 307 IPC is made out against the petitioners and other offences are bailable. The petitioners have got no criminal history.

5. Learned APP opposes the submissions made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the background of land dispute and further considering the general nature of allegation against the petitioners and lack of intention for any attempt on life and also considering the possibility of false accusation, let the petitioners, above named, in the event of their arrest or surrender before the court concerned within a



period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Mufassil P.S. Case No. 457 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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