

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3957 of 2024

Arising Out of PS. Case No.-352 Year-2022 Thana- SURSAND District- Sitamarhi

1. Dinesh Thakur @ Raja Thakur S/O- Ram Pukar Thakur R/O- Village- Chandpatti, Ward No.- 11 (SURSAND), P.S.- Sursand, Dist.- Sitamarhi
2. Lalan Thakur S/O- Ram Pukar Thakur R/O- Village- Chandpatti, Ward No.- 11 (SURSAND), P.S.- Sursand, Dist.- Sitamarhi

... .. 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.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-02-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 307, 504, 506, 302/34 of the Indian Penal Code.

As per allegation in the FIR, petitioner No. 1, namely, Dinesh Thakur @ Raja Kumar along with other co-accused persons started abusing the informant and on protest they assaulted him. When son of the informant, namely, Akhilesh Thakur came to his rescue,



petitioners along with other co-accused persons assaulted him by means of iron rod, bamboo and danda, due to which he sustained head injuries and succumbed to injuries during the course of treatment.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. There is no specific allegation against the petitioners rather the allegation levelled against them is general and omnibus. Both parties are agnates and there is land dispute between them. Moreover, the petitioners are languishing in judicial custody since 09.10.2023. Several co-accused persons have been granted bail by different co-ordinate Bench of this Court. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Sursand P.S. Case No. 352 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Pupri at Sitamarhi.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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