

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.954 of 2024

Arising Out of PS. Case No.-208 Year-2023 Thana- SARMERA District- Nalanda

1. Jambant Thakur son of Late Sivan Thakur @ Shivam Thakur, resident of Village-Chhoti Kenar, P.S.-Sarmera, District-Nalanda.
2. Rakesh Thakur, son of Jambant Thakur, resident of Village-Chhoti Kenar, P.S.-Sarmera, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar .

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for bail in a case
instituted for the offence under Sections 341, 323, 324, 326,
307 and 504/34 of the Indian Penal Code.

3. As per allegation in the FIR, grandfather of the
informant went to his brother (petitioner) to clean his drain,
then an scuffle took place. Petitioner assaulted to
informant's grandfather on his head by means of Axe with
intention to kill him. Co-accused Rupesh Thakur also hit
him as a result of which he fell down unconsciously. Gopal
Thakur when rushed there to rescue him, petitioner gave



order to Pushpanjay Kuamr to hit him then he hit him with tangi on his uncle's head resulting into his head injury and he fell down unconsciously.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. Both the parties are full brothers. Over a trivial dispute over cleaning of drain, the alleged occurrence took place at the spur of moment. There was no intention to kill anyone. There is case and counter case. Three persons have received injury and all were examined by the doctor and he found that all have received simple injuries caused by hard-blunt substance, and this fact is also mentioned in the impugned order. Petitioners are men of clean antecedent and languishing in judicial custody since 4.10.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand



only) each with two sureties of the like amount each to the satisfaction of the learned CJM, Nalanda in connection with Sarmera P.S. Case No. 208 of 2023.

(Sunil Kumar Panwar, J)

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