

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22660 of 2025

Arising Out of PS. Case No.-306 Year-2024 Thana- RAGHOPUR District- Vaishali

-
1. Sanjit Thakur S/o- Late Ekbali Thakur
 2. Lali Thakur S/o- Nagendra Thakur
 3. Kallu Thakur @ Kalu Thakur S/o- Jhala Thakur
 4. Moni Thakur S/o- Late Natho Thakur
 5. Gyan Thakur S/o- Natho Thakur
 6. Nagendra Thakur S/o- Neva Thakur @ Nawa Thakur
 7. Jimdar Thakur S/o- Neva Thakur @ Nawa Thakur,
 8. Pintu Thakur S/o- Rameshwar Thakur
 9. Prince Thakur @ Prince Kumar S/o- Rameshwar Thakur
- All the above are Resident of Village-Rustampur Pachpairiya, Police Station- Raghobpur (Rustampur), District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachin Kumar, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-04-2025 At the outset, it is pointed out by learned counsel that petitioner no.1, namely, Sanjit Thakur and petitioner no.5, namely, Gyan Thakur have been arrested during the pendency of present anticipatory bail petition and, therefore, their prayer *qua* anticipatory bail now become infructuous.

2. Considering the aforesaid, the anticipatory bail prayer as pressed on behalf of petitioner no.1, namely, Sanjit Thakur and petitioner no.5, namely, Gyan Thakur stand



dismissed being infructuous.

3. Now, the present petition survives only against petitioner nos.2, 3, 4, 6, 7, 8 and 9, namely, Lali Thakur, Kallu Thakur @ Kalu Thakur, Moni Thakur, Nagendra Thakur, Jimdar Thakur, Pintu Thakur and Prince Thakur @ Prince Kumar only.

4. All seven accused/petitioners are named in the FIR and apprehending their arrest in connection with Raghapur (Rustampur) P.S. Case No.306 of 2024 registered under Sections 126, 115(2), 118, 117, 109, 303(2), 352, 351 and 3(5) of Bhartiya Nyay Sanhia, 2023.

5. Allegation against the petitioners is to assault the informant and his grand-father during the course of occurrence by using *farsa* causing head and bodily injuries with intention to cause death of his grand-father, where occurrence alleged to be arising out of local disputes and differences.

6. It is submitted by learned counsel appearing for the petitioners that the present occurrence is free fight in nature, where both parties have received injuries and for



same set of occurrence, the petitioners' side also lodged a case against informant bearing Raghapur P.S. Case No.320 of 2024. It is submitted that the allegation as per facial perusal of FIR *qua* physical assault is appearing very much general and omnibus against petitioners. It is further pointed out by learned counsel that the injury as alleged to be caused to grand-father of the informant by accused persons appears single and simple in nature upon his medical examination, negating *prima facie* that the petitioners and other accused were not under intention to cause death of grand-father of the informant or they were under knowledge that the injury as alleged to be caused by them is likely to cause death of the injured/grand-father of the informant. All seven petitioners claimed their clean antecedent.

7. Learned APP opposes the prayer of bail.

8. In view of aforesaid factual submissions and by taking note of fact as allegation *qua* physical assault appearing very much general and omnibus *qua* petitioners, where injury alleged to be caused to the grand-father of the informant found simple in nature upon his medical



examination, negating *prima facie* their intention to cause death, accordingly, petitioner nos.2, 3, 4, 6, 7, 8 and 9, namely, Lali Thakur, Kallu Thakur @ Kalu Thakur, Moni Thakur, Nagendra Thakur, Jimdar Thakur, Pintu Thakur and Prince Thakur @ Prince Kumar, in the event of their arrest or surrender in the court below within a period of four weeks, are directed to be released on bail 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 Sub-Judge-XVI-cum-A.C.J.M.-XV, Vaishali at Hajipur in connection with Raghapur (Rustampur) P.S. Case No.306 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

