

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17810 of 2025

Arising Out of PS. Case No.-495 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Shyam Thakur S/O Late Ramyad Thakur R/V Ramnathpur, P.S- Muffasil, Distt.- Samastipur.
 2. Kiran Devi W/O Shyam Thakur R/V Ramnathpur, P.S- Muffasil, Distt.- Samastipur.
 3. Juli Devi @ Juli Kumari D/O Shyam Thakur R/V Ramnathpur, P.S- Muffasil, Distt.- Samastipur.
 4. Harsh Kumar S/O Late Uma Shankar Thakur @ Late Umman Thakur R/V Ramnathpur, P.S- Muffasil, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate
For the Opposite Party/s : Mrs.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2025 Learned counsel for the petitioners submits that

petitioner no.1 has been arrested and seeks permission to

withdraw the petition for anticipatory bail of **petitioner no.1**

Shyam Thakur.

2. Permission is accorded.

3. Accordingly, the petition for anticipatory bail of
petitioner no.1 Shyam Thakur is dismissed as withdrawn.

4. Heard learned counsel for the petitioners and
learned APP for the State.

5. In this present case, the petitioners are



apprehending their arrest in connection with Samastipur (Muffasil) P.S. Case No. 495 of 2024, registered for the offences under Sections 126(2), 115(2), 117(2), 109, 303(2), 352, 351(2) and 3(5) of the B.N.S.

6. As per prosecution case, petitioners and other co-accused persons surrounded the informant and his uncle and started hurling abuses. When the informant forbade them from doing so, co-accused Shyam Thakur ordered to kill both of them. Co-accused Raman Kumar gave *farsa* blows to the informant and co-accused Himanshu Kumar hit him with iron rod. Co-accused Shyam Thakur assaulted the uncle of the informant with iron rod. Petitioner Harsh Kumar sat on the chest of the uncle of the informant. When the father and other uncle of the informant intervened, they were abused and assaulted.

7. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioner nos.2 and 3 are ladies and there is no specific allegation of assault against them. Allegation against petitioner Harsh Kumar is that he sat on the chest of the uncle of the informant and there is no allegation of any other assault against the petitioners. The parties are agnates and there is land dispute between them. Petitioner Kiran Devi



has filed a complaint case against the informant and others and earlier son of the co-accused Shyam thakur has lodged Samastipur (Muffasil) P.S. Case No. 134 of 2024 against the informant and others. Petitioner nos.1 and 2 are having antecedent of one case whereas petitioner nos.3 and 4 are having no criminal antecedent.

8. Learned APP opposes the submission made on behalf of the petitioners.

9. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that two of the petitioners are ladies and there is no specific allegation against the petitioners and also considering the possibility of false implication, let the **petitioner nos. 2, 3 and 4** 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 bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-2nd, Samastipur/concerned court in connection with Samastipur (Muffasil) P.S. Case No. 495 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other 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.

(Arun Kumar Jha, J)

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