

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21761 of 2025

Arising Out of PS. Case No.-678 Year-2020 Thana- MADHAURAH District- Saran

1. Sunil Kumar Thakur @ Sunil Kumar Singh @ Sunil Thakur Son of Late Nageshwar Thakur Resident of Nethuwa, P.S. - Bhadoura (Goura O.P.), District - Saran
2. Golu Thakur @ Mrityunjay Kumar Singh Son of Late Vijay Singh Resident of Nethuwa, P.S. - Bhadoura (Goura O.P.), District - Saran
3. Dheeraj Kumar @ Shiv Shankar Singh @ Dhiraj Thakur Son of Late Vijay Singh Resident of Nethuwa, P.S. - Bhadoura (Goura O.P.), District - Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-05-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Morhowra (Gaura-O.P.) P.S. Case No. 678 / 2020 dated 29.07.2020 registered under Sections 341, 323, 324, 307, 504, 506, 34 of the I.P.C.

3. As per the first information report on 29.07.2020 in the morning when the niece of the informant was going to temple, the petitioner no. 1 & 2 unleashed their dog and the dog chased the informant's niece. The niece of the informant became frightened and ran towards her house and informed about the act of the petitioner no. 1. When the informant went to the house of



the petitioners and enquired about the incident the petitioners and others started abusing and attacked on the father of informant by sharp cutting weapon due to which the informant's father sustained head injury. The informant and his family members were also assaulted due to which they sustained injury.

4. Learned counsel for the petitioners submits that both the parties are neighbours and occurrence has taken place due to the fact that inadvertently the dog was freed and chased the informant's niece. He further submits that police after investigation submitted final form under bailable sections i.e. section 341, 323, 504, 506 / 34 I.P.C. but the learned Magistrate while taking cognizance differed with the police report and took cognizance against the petitioners under sections 324, 307 I.P.C. also. The injury caused to the victims as referred in annexure: 2 series would show that injuries caused to the informant's father and the informant are simple in nature caused by hard and blunt substance whereas the allegation of assault is by sharp cutting weapon.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are neighbour, the police after investigation submitted charge sheet under bailable sections, the injuries caused to the victims are



simple in nature accordingly I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Rakesh Ranjan, J.M. 1st Class, Chapra at Saran in connection with Morhowrah (Gaura O.P.) P.S. Case No. 678 / 2020 subject to the condition as laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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