

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25860 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- MADHWAPUR District- Madhubani

1. Jitendra Thakur S/O Late Ram Ikbal Thakur @ Ram Ekawal Thakur Resident of village- Andauli, PS- Madhwapur, District- Madhubani
2. Sakuntla Devi W/O Jitendra Thakur Resident of village- Andauli, PS- Madhwapur, District- Madhubani
3. Rahul Thakur S/O Jitendra Thakur Resident of village- Andauli, PS- Madhwapur, District- Madhubani

... .. Petitioners.

Versus

1. The State of Bihar Patna
2. Sunita Thakur, w/o- Ashish Thakur R/O Village- Andauli, P.S. Madhwapur, District- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Opposite Party/s : Mrs. Dr. Indihar Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 11-08-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State. Despite issuance of notice none has appeared on behalf of opposite party no.2.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 115(2), 126(2), 303(2), 352, 351(3) and 3(5) of the B.N.S.

3. The allegation in the first information report is that petitioner nos.1 and 2 came to the house of the informant armed with axe and started assaulting causing injuries to the husband of the informant.

4. It is submitted by learned counsel for the petitioners



that the petitioner no.1 is the own brother of the husband of the informant. It is further submitted that petitioner no.2, who is the Gotani of the informant, had filed a complaint case against the informant and her family members, which is Annexure-P/2 to the present application. It is further submitted that the entire story of assault is not correct. As a matter of fact, on account of physical scuffle between the parties, the husband of the informant received some injuries, which are in the nature of bruise and abrasion, hence no offence under Section 307 of the IPC is made out against the petitioners. The injury report has been annexed as Annexure-3 to this application, which would show that both the injury are caused by hard and blunt substance, while the injury no.1 is simple in nature and injury no.2 is said to be dangerous for life. The injury reports of the petitioners have also been annexed as Annexure-P/4 to the present application. So far as petitioner no.3 is concerned, he is the son of petitioner nos.1 and 2 and no offence has been attributed against him.

5. Learned APP for the State opposed the prayer for bail.

6. Taking into consideration the facts and circumstances of the case as well as the fact that both the parties are closely



related and the oral allegations are not supported by the medical evidence, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned 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 the learned lower Court where the case is pending/successor Court in connection with Madhwapur P.S. Case No.03 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

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