

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26137 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- RANIYATALAB District- Patna

Mukesh Thakur, S/o Naresh Thakur, R/o Village- Saidabad, P.S- Ranitalab,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan, Advocate

For the Opposite Party/s : Mr. Anish Chandra, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-05-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Rani Talab P.S. Case No. 30 of 2025, registered for the
offences punishable under Sections 109(1), 76, 303(2), 352,
351(2), 351(3) and 3/5 of the Bharatiya Nyaya Sanhita, 2023.

3. Based upon the written report the prosecution
alleged that on the fateful day co-accused Vikash Thakur under
the influence of liquor was engaged in abusing and when it was
protested by the husband of the informant, he alongwith co-
accused Shiv Shankar Thakur and the petitioner brutally
assaulted her husband. It is specifically alleged that co-accused
Vikash Thakur has assaulted the husband of the informant by



means of iron rod, due to which he sustained serious head injury. Co-accused Shiv Shankar Thakur also assaulted and misbehaved with the informant and snatched Rs. 8,000/- from the pocket of her husband.

4. Learned Advocate appearing on behalf of the petitioner having taken this Court through the FIR has contended that there is no allegation of any overt act against the petitioner. Save and except the name of the petitioner being added as an accused in this case, no overt act has been attributed. However, on the date of occurrence, only on account of some trifle, some scuffle took place between co-accused Vikash Thakur and the husband of the informant, leading to the institution of the FIR. The FIR does not disclose the date of the occurrence, however, it came to be registered on 23.01.2025, which also appears to be added later on. It is further contended that though the petitioner is an accused in one more case, bearing Rani Talab P.S. Case No. 347 of 2022, however he is on bail and he undertakes before this Court that he would not indulge in such type of activities in future and abide by the terms of this Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioner has participated in the crime as is evident from



the FIR.

6. Regard being had to the submissions made on behalf of the parties and considering the allegation levelled in the FIR which does not disclose any role of the petitioner in the crime, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Danapur (Patna) in connection with Rani Talab P.S. Case No. 30 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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