

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28865 of 2025

Arising Out of PS. Case No.-346 Year-2023 Thana- BABUBARHI District- Madhubani

Uday Shankar Thakur @ Uday Chandra Thakur @ Uday Shankar S/o
Baidyanath Thakur Resident of Village- Madhwapur, Bairiya, P.S.-
Babubarhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-05-2025 Heard Mr. Subhash Kumar Jha, learned counsel for

the petitioner and Mr. Sanjay Kumar Tiwary, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Babubarhi P.S. Case No. 346 of 2023, F.I.R. dated 01.11.2023 for the offences punishable under Sections 453, 341, 323, 354(B), 143, 324, 307, 379, 427 of Indian Penal Code.

3. As per the First Information Report, informant alleged that the petitioners along with other accused persons came to her house and assaulted her and her family members. They also committed robbery at her house and looted cash, ornament and other costly articles.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Although there is specific allegation against the petitioner that he assaulted the sister-in-law of the informant and she received injury but the injury report of the injured person namely, Lalita Devi suggest that injury is simple in nature and apart from that co-accused, namely, Pappu Thakur vide order dated 02.04.2024 in Cr.Misc No. 19396 of 2024 has been granted the privilege of anticipatory bail by co-ordinate bench of this Court and other co-accused persons, namely, Shankar Thakur, Baidyanath Thakur, Laldai Devi, Rupra Devi @ Rupa Kumari vide order dated 04.04.2024 in Cr.Misc.No.20804 of 2024 have been granted the privilege of anticipatory bail by this Court.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, injury sustained by the injured person is simple in nature and



similarly situated co-accused persons have been granted the privilege of anticipatory bail, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Madhubani in connection with Babubarhi P.S. Case No. 346 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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