

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30306 of 2025

Arising Out of PS. Case No.-254 Year-2024 Thana- KARJA District- Muzaffarpur

1. Sanjeev Kumar @ Sanjeev Thakur, S/o- Ram Chandra Sharma @ Ramnandan Thakur @ Ramchandra Thakur, Resident of Village-Badkagaon, Police Station-Karja, District-Muzaffarpur
2. Chhotu Kumar @ Chhotu Thakur, S/o- Ram Chandan Thakur @ Ramchandra Thakur, Resident of Village-Badkagaon, Police Station-Karja, District-Muzaffarpur
3. Rajeev Kumar @ Rajeev Thakur, S/o- Ram Chandra Sharma @ Ram Chandra Thakur, Resident of Village-Badkagaon, Police Station-Karja, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Adv.
For the Opposite Party/s : Mr. Md. Matloob Rab, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-08-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Karza P.S. Case No. 254 of 2024, registered for the offences punishable under Sections 74, 109, 303, 352, 191(2), 191(3), 329(4), 126(2), 324(4), 324(5), 115 and 117(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly while the informant alongwith others were engaged in constructing a soak pit in his land, in the mean



time, some of the accused persons came there and started abusing and dismantling the soak pit. When the protest was made, the other accused persons, 6 in numbers armed with *lathi*, *danda* and iron rod came there and brutally assaulted the informant and his son. It is specifically alleged that the petitioner no.1 assaulted with iron rod to the son of the informant and further co-accused Dhirendra Thakur assaulted by means of sword over the nose of the informant; whereupon Manoj Thakur was also assaulted with iron rod, due to which all of them sustained injuries. There is allegation against the petitioner nos. 2 and 3 that they have pulled down the daughter-in-law of the informant and outraged her modesty; besides there is allegation of snatching of valuables against other co-accused persons.

4. Learned Advocate appearing on behalf of the petitioner submitted that from the genesis of the occurrence it appears that there is a land dispute between the parties leading to scuffle and institution of case and counter case bearing Karja P.S. Case No. 263 of 2024. It is further contended that only on account of the fact that the petitioners are family members of the main accused persons, their names have been implicated in this case in order to put pressure, moreover, the injury which has been attributed to the petitioner no.1 is found to be simple in



nature. The grievous injury has been attributed to co-accused Dhirendra Thakur, who is not before this Court. The petitioners bear fair antecedent and they undertake before this Court that they will fully cooperate in the investigation and would not indulge in such activities in future.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that besides the informant, various persons have sustained injuries and the petitioners have actively participated in the crime.

6. Having considered the submissions set forth by learned Advocate for the respective parties and taking note of the genesis of occurrence, coupled with the simple injury attributed to petitioner no. 1 and the fair antecedent of the petitioners, let the petitioners above named be released on bail, in the event of their 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, Court No. 6, Muzaffarpur (West) in connection with Karja P.S. Case No. 254 of 2024, 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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