

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37486 of 2025

Arising Out of PS. Case No.-107 Year-2019 Thana- PAHARPUR District- East Champaran

1. Ranglal Thakur @ Ram Lal Thakur @ Rang Lal Thakur S/O Late Bihari Thakur Resident of Village- Noneya Tiwari Tola, P.S- Paharpur, District- East Champaran.
2. Ram Prakash Thakur S/o Ranglal Thakur @ Ram Lal Thakur Resident of Village- Noneya Tiwari Tola, P.S- Paharpur, District- East Champaran.
3. Meena Devi W/O Ranglal Thakur @ Ram Lal Thakur Resident of Village- Noneya Tiwari Tola, P.S- Paharpur, District- East Champaran.
4. Deepak Thakur S/O Udhaw Thakur Resident of Village- Noneya Tiwari Tola, P.S- Paharpur, District- East Champaran.
5. Manju Devi W/O Udhaw Thakur Resident of Village- Noneya Tiwari Tola, P.S- Paharpur, District- East Champaran.
6. Pappu Thakur S/O Deolal Thakur Resident of Village- Noneya Tiwari Tola, P.S- Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-07-2025 Heard Mr. Abhishek Kumar, learned counsel for the petitioners and Mr. Mritunjay Kumar Nirala, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Trial No. 605 of 2024 arising out of Paharpur P.S. Case No. 107 of 2019 instituted for the offence under Sections 143, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.



3. The case of the prosecution is that the only son of the informant, namely, Raushan Tiwari, had parked his bike in his own fields; meanwhile, the neighbor of the informant, along with 10 other persons, including the petitioners, being armed with arms, arrived there and started causing mischief to the vehicle, and when the informant objected, Ram Prakash Thakur, who was armed with *farsa*, assaulted Raushan Tiwari on his head, due to which he received a head injury. He felt unconscious and fell down there. When Prabhask Tiwari came to rescue Deepak Thakur, he was assaulted with an iron rod.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. He also submits that specific allegation is only against Ram Prakash Thakur and Deepak Thakur. It has also been submitted that the nature of the injury that has been received by the victims of this case is simple in nature. It is next submitted that though there is an allegation of assault with a *farsa*, the doctor has opined that the injury was caused by hard and blunt substance. In this case, the police have given them the benefit of Section 41A of the Cr.P.C. Meanwhile, the police have submitted a charge sheet, and cognizance has been taken. It has



lastly been submitted that a statement has been made in para-3 of this petition that the petitioners have no criminal antecedents.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Trial No. 605 of 2024 arising out of Paharpur P.S. Case No. 107 of 2019, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, East Champaran, Motihari, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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