

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44893 of 2025

Arising Out of PS. Case No.-245 Year-2023 Thana- BASOPATTI District- Madhubani

Brahamdeo Thakur S/o Late Ramhit Thakur R/o vill - Jasso, P.S. - Basopatti,
Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Ritwik Thakur, Adv. Ms. Vaishnavi Singh, Adv.
For the Opposite Party/s	:	Mr. MUNISH KUMAR, Adv. Ms. MINAKSHI KUMARI, Adv. Mr. MUNNA RAJ, Adv. Mr. SUDHANSHU SHEKHAR KUMAR, Adv. Mr. SHITANSHU SHEKHAR KUMAR, Adv. Mr. MANU KUMAR, Adv. Mr. ROOKHSANA PERWEEN, Adv.
For the State	:	Mr. Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Basopatti P.S. Case No. 245 of 2023 dated 03.11.2023 registered for the offences punishable u/ss 323, 341, 354B, 379, 324, 307, 504, 506 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, when Brahamdeo Thakur (petitioner) was irrigating his field from ditch (dabara) which belonged to the informant. On being objected by the



informant, son of Brahamdeo Thakur switched off the irrigating machine. Thereafter, on the order of the co-accused, Nage Mandal, the petitioner assaulted on the head of the informant with spade with intention to kill him causing cut injury. The petitioner again assaulted the informant with spade as a result of which his right side ribs were fractured. The co-accused, Ranjeet Thakur also assaulted him on the back, legs and other body parts of the informant with bamboo stick. Further, the accused persons reached the house of the informant and assaulted his sister-in-law and also tried to outrage her modesty. The petitioner tied a rope in her neck and pulled the same due to which his sister-in-law was having difficulty in breathing and with the intervention of his co-villagers, she was saved. Thereafter, the injured were taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 01.11.2023 but the F.I.R. was lodged on 03.11.2023 and there is no explanation for this delay. It is further submitted that both the parties are relatives and there is irrigation dispute between the parties. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that as per



the injury report of the injured, the injury no. 1 is incised wound over right side of forehead and one swelling right side of shoulder with back side and further stated that injury no. 1 was sharp cut and injury no. 2 by hard and blunt substance and stated to be grievous in nature. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.05.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and submitted that the anticipatory bail application of the petitioner was earlier rejected by a Coordinate Bench of this court vide order dated 29.04.2024 passed in Cr. Misc. No. 22970/2024.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Basopatti P.S. Case No. 245 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of



the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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