

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60063 of 2024

Arising Out of PS. Case No.-224 Year-2023 Thana- MAKER District- Saran

1. Dinesh Thakur Son of Late Hiramal thakur Village- Baghakol, P.S.- Maker, District- Saran, Bihar- 841215
2. Ramesh Thakur Son of Late Hiramal Thakur Village- Baghakol, P.S.- Maker, District- Saran, Bihar- 841215
3. Manish Kumar Thakur Son of Sri Rajeshwar Thakur Village- Baghakol, P.S.- Maker, District- Saran, Bihar- 841215
4. Deepak Kumar Thakur Son of Sri Rajeshwar Thakur Village- Baghakol, P.S.- Maker, District- Saran, Bihar- 841215

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 07-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Maker P.S. Case No. 224 of 2023 for the offence under Sections 341, 324, 325, 326, 504, 506 and 34 of the I.P.C.

3. As per the prosecution story, the informant has alleged that in the early morning of 25.11.2023, all the F.I.R. named accused persons armed variously, came at his house and brutally assaulted all his family members. It is further alleged



that petitioner no. 1 – Dinesh Thakur and petitioner no. 2 – Ramesh Thakur have assaulted his uncle namely Shambhu Thakur on his head by means of sword and resultantly, blood started ouzing out. Petitioner no. 3 – Manish Kumar Thakur, along with one Akshay Thakur assaulted his uncle namely Binod Thakur on his head by means of iron rod due to which he sustained injury and become unconscious. It is also alleged that petitioner no. 4 – Dinesh thakur has assaulted the cousin of the informant namely, Barun Kumar by means of iron rod.

4. Learned counsel for the petitioners submits that the petitioners are innocent and the criminal antecedent of the petitioners is clean. There is case and counter case for the same cause of action. On 25.11.2023, petitioner no. 1 namely, Dinesh Thakur lodged Maker P.S. Case No. 225 of 2023 for alleged occurrence. Learned counsel further submits that there is land dispute between both the parties and for the said dispute, Title Suit was filed by the informant of this case and the judgment of the said title was passed in favour of the petitioner.

5. Learned APP opposes the prayer for bail and submits that there are specific allegations against the petitioners and injuries sustained by the informant side is grievous in nature.



6. From perusal of F.I.R., it clearly transpires that there is specific allegation against Dinesh Thakur and Ramesh Thakur of assaulting Shambhu Thakur by means of sword causing cut injury on his head. There is another specific allegation against Manish Thakur of assaulting Binod Thakur by means of Farsa and Iron rod on his head. There is also specific allegation against Deepak Kumar Thakur of assaulting Barun Kumar by means of iron rod on his head. From perusal of case diary it appears that the witnesses have supported the aforesaid allegations and injuries sustained on the head by Shambhu Thakur and Binod Thakur have been found grievous in nature. So, the petitioners namely, Dinesh Thakur, Ramesh Thakur and Manish Thakur do not deserve anticipatory bail.

7. Accordingly, the anticipatory bail application of the above named petitioners stands rejected.

8. So far as petitioner no. 4 – Deepak Kumar Thakur is concerned there is allegation against him of assaulting Barun Kumar who has sustained simple injury on his head. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

9. Let the petitioner no. 4 – Deepak Kumar Thakur be released on bail in the event of arrest or surrender within a



period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st, Saran, in connection with Maker P.S. Case No. 224 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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