

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60557 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- AKBARPUR District- Nawada

1. Subodh Thakur S/O Kapildeo Thakur Resident Of village- Runipur, P.S- Akbarpur, Distt.- Nawada.
2. Prince Kumar S/O Subodh Thakur Resident Of village- Runipur, P.S- Akbarpur, Distt.- Nawada.
3. Ruby Devi W/O Rajesh Thakur Resident Of village- Runipur, P.S- Akbarpur, Distt.- Nawada.
4. Rohit Kumar S/O Rajesh Thakur Resident Of village- Runipur, P.S- Akbarpur, Distt.- Nawada.
5. Rajesh Thakur S/O Kapildeo Thakur Resident Of village- Runipur, P.S- Akbarpur, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Akbarpur P.S. Case No. 241 of 2024 registered for the offences punishable under Sections 126, 115(2), 352, 351(3), 117(2), 109 and 3(5) of B.N.S.

3. As per prosecution case, petitioners and other are said to have concertedly assaulted informant's family members. It is further alleged that co-accused Mithilesh Kumar assaulted Vipin Sao by means of axe, co-accused Tinku Kumar assaulted Deepak



Kumar by means of rod and co-accused Rahul Kumar assaulted Pradeep Sao by means of shovel on his eye as a result of which he sustained injury on head. It is further alleged that petitioner no. 5, Rajesh Thakur, made indecent behaviour with the female members of the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Learned counsel submits that specific allegation of assault is against co-accused Mithilesh Kumar, Tinku Kumar and Rahul Kumar. There is no specific allegation of assault against any of the petitioners rather the same is general and omnibus in nature. Though, there is specific allegation against petitioner no. 5 to have made indecent behaviour with the female members of the informant but the same is super addition, meant for the purposes of adding seriousness to the offence. It is further submitted that there is a case and counter case between both the parties and free fighting cannot be ignored. It is further submitted that there is land dispute between both the parties and in the cases of land dispute facts are generally exaggerated. Petitioners have falsely implicated in the case in order to harass the family of the petitioners. Apart from that, petitioners bear no criminal antecedent

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that petitioners have participated in assaulting the informant's family



members and they cannot escape from the liability of the allegation made in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, there is no specific overt-act of assault against any of the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 Chief Judicial Magistrate, Nawada in connection with Akbarpur P.S. Case No. 241 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

vashudha/-

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