

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88783 of 2024

Arising Out of PS. Case No.-34 Year-2022 Thana- COMPLAINT CASE - JHANJHARPUR
District- Madhubani

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1. Lal Thakur @ Lalan Prasad Thakur S/o Ram Swaroop Thakur R/o Village- Kewatna, P.S.- Goghardiha, District- Madhubani.
 2. Anil Thakur @ Sonu Thakur S/o Yogendra Thakur R/o Village- Mehni, P.S.- Ghoghardiha, Distt.- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sukdeo Thakur S/o Late Kari Thakur R/o Village- Mainhi, Ward No. 5, P.S.- Ghoghardiha, Distt.- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 07-04-2025 This case has been heard through video conferencing/virtual mode.

2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 34 of 2022, disclosing offences under Sections 327 and 386 of the Indian Penal Code.

3. The prosecution case, as per the complaint filed by O.P. No. 2, while the complainant was sitting at his home, all the accused persons including the petitioners came there, started abusing and assaulting the complainant. They also poured acid on the thigh of the complainant due to which the complainant sustained injury on his thigh. It has further been alleged that co-



accused Shyam Sundar Thakur assaulted the complainant by means of butt of the pistol and forcibly took signature of the complainant on some plain paper and they also took away sum of Rs. 6,00,000/- along with other household articles, cattle etc. of the complainant.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case due to family dispute between the parties. He further submits that in the complaint, the allegation is that all the accused persons poured acid upon the complainant whereas in his solemn affirmation he has stated that co-accused Shyam Sundar Thakur and Rani Devi poured kerosene oil on a stick made of jute and burnt the thigh of the complainant causing injury to him at his thigh. Referring to the solemn affirmation it is submitted that specific allegation of assault and burning his thigh is against the co-accused persons and not against the petitioners and the allegation against them are general and omnibus in nature. Learned counsel next submits that co-accused persons having specific allegation, namely, Shyam Sundar Thakur and Rani Devi have been granted anticipatory bail by the co-ordinate Bench of this Court in Cr. Misc. No. 65707 of 2023.

5. Regards being had to the submissions made by



the parties and taking into consideration the fact that the allegation against the petitioners is general and omnibus in nature and the co-accused persons having specific allegation have been granted anticipatory bail by a Co-ordinate Bench of this Court, accordingly, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jhanjharpur, in connection with Complaint Case No. 34 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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