

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89625 of 2024

Arising Out of PS. Case No.-1896 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Taposh Kumar @ Taposh Thakur S/o Mannu Sharma @ Mannu Thakur R/o Village - Sonra, PO- Bairka, PS- Gahlaur, Distt- Gaya
 2. Harendra Kumar Sharma @ Harendra Thakur @ Harendra Kumar S/o Mannu Sharma @ Mannu Thakur R/o Village - Sonra, PO- Bairka, PS- Gahlaur, Distt- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalji Sharma S/o Late Sabit Thakur R/o Village - Sonra, PO- Bairka, PS- Gahlaur, Distt- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Saurabh, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-01-2025 Heard learned counsel for the petitioners and the

State.

2. Petitioners apprehend arrest in a case registered for
the offences punishable under Sections 323 and 406 of the
Indian Penal Code.

3. As per complaint case, 15 years ago, co-accused
Mannu Thakur, who is own brother of the complainant, took Rs.
40,000/- from the complainant and other two brothers for
purchasing land in the name of their mother but instead he
purchased the land in his name and when complainant and



others demanded their share, Mannu Thakur abused and assaulted them due to which complainant sustained head injury.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Petitioners have been made accused merely because they are son of co-accused Mannu Thakur. As per complaint case, it was Mannu Thakur who took Rs. 40,000/- from the complainant. He next submits that alleged occurrence took place 15 years ago and complaint petition has been lodged in the year 2022 after lapse of 15 years without any plausible explanation. Allegation of assault is general and omnibus. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Gaya in connection with Complaint Case No. 1896/2022,



subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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