

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 89871 of 2024

Arising Out of PS. Case No.-117 Year-2024 Thana- SARAI District- Vaishali

Rajan Thakur @ Rajan Kumar S/O Late Jagarnath Thakur R/O Village-
Darveshwar @ Darveshpur (Anjani), P.S.- Sarai, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-01-2025 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. The petitioner seeks regular bail in connection with
Sarai P.S. Case No. 117/2024 registered for the offence(s)
punishable under Sections 341, 323, 324, 325, 326, 307, 354,
504 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, all the
accused persons including the petitioner assaulted the informant
and her family members, as a result of which, they sustained
injuries. Further allegation is that the accused persons also
outraged the modesty of the daughter of the informant when she
came to save her mother.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and he has falsely



been implicated in the present case. He further submitted that there is case and counter case between the parties, as the brother of the petitioner has also lodged an FIR being Sarai P.S. Case No.109 of 2024, alleging therein that he was brutally assaulted by the informant's side, resulting into head injury to him and when his wife came to save him, they outraged her modesty. Learned counsel further submits that due to land dispute, both the parties entered into fierce fight during which, in self defence, the petitioner may have caused some injury on the informant without any intention. Petitioner has clean antecedent. Petitioner is in custody since 12.09.2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of allegation made in the FIR and also the fact that there is case and counter case between the parties, petitioner has clean antecedent, he in self defence may have caused some injury on the informant without any intention, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Sarai P.S. Case No. 117/2024, subject to the following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
 - (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court concerned.
 - (3) If the petitioner tampers with the evidence or the witnesses of the case, the prosecution will be at liberty to move for cancellation of bail of the petitioner.
 - (4) If the petitioner is found involved in similar nature of offences, after his release on bail, the trial court shall take steps to cancel his bail bond.
 - (5) The district court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.
8. The bail application stands disposed of.

(Purnendu Singh, J)

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