

# Raghunath Thakur vs The State Of Bihar on 6 December, 2016

**Author: Kishore Kumar Mandal**

**Bench: Kishore Kumar Mandal**

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.47615 of 2016  
Arising Out of PS.Case No. -380 Year- 2016 Thana -RUNISAIDPUR Distri

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Raghunath Thakur S/o Late Harikant Thakur resident of Manik Chowk,  
Kamaldah Tola, PS - Runnisaidpur, District - Sitamarhi.

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Versus

The State of Bihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Yogendra Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR  
MANDAL  
ORAL ORDER

3 06-12-2016

Heard Mr. Ashhar Mustafa for the petitioner and Mr. Yogendra Kumar Singh, APP for the State.

The petitioner is facing accusation in Runnisaidpur P.S. Case No. 380 of 2016 registered under Sections 323, 326, 380, 427, 342, 307 of the Indian Penal Code and diverse penal provisions of the Domestic Violence Act, has approached this Court for grant of anticipatory bail.

It is alleged that the accused(s) persons who are close agnates of the informant intruded into the house and manhandled/assaulted, not only the informant, but her children.

Contention of the petitioner is that it is a family feud which has been given colour of serious criminal offence. The injury reports of any of the injured were never produced before the Investigating Officer. The petitioner is a retired person and being head of the family, he would ensure not to indulge in any such domestic violence against the informant, if granted the privilege of anticipatory bail.

Learned counsel for the State upon verification of the case diary has submitted that no injury report worth the name of any of the injured is placed on the investigating report.

Considering the facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M. Sitamarhi in Runnisaidpur P.S. Case No. 380 of 2016 subject to the condition as laid down under Section 438(2), the code of Criminal Procedure with further condition that:

(i) One of the bailors shall be his own/close family member of the petitioner.

(ii) The petitioner shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J) rohit/-

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