

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24104 of 2015

Arising out of PS.Case No. -136 Year- 2007 Thana -PATEPUR District- VAISHALI(HAJIPUR)

Rakesh Thakur @ Shankar Thakur, Son of Late Ram Nath Thakur, R/o village - Sai, P.S. Vaishali, District - Vaishali .

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2015 The petitioner is languishing in custody since 27.11. 2014 in connection with Patepur P.S. Case No. 136 of 2007 for the offences instituted under Sections 302, 143, 149 of the I.P.C. and 26(1-B)A, 26, 27 and 35 of the Arms Act.

Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that on 10.12.2007, at about 7.30 P.M. he was in his house suddenly he heard the noise of firing onwards the house of his uncle Bachcha Pd. Singh. So he came out of his house and saw that 18.-20 persons were surrounded his uncle. Out of them, one person cautioned the informant and informant went behind his house. Miscreant came at the house of the informant and searched his son Bigul Singh @



Indra Mohan Kr. (Mukhiya) to kill him but they did not found him. So they set ablaze in Scorpio vehicle No. BR-069-0055 and broken the glass. On the noise of firing villagers came and chased the miscreants but they fled away towards west. Accused persons were armed with arms and ammunition. In the fardbeyan, the informant has disclosed the name of accused. It has been further alleged that when the informant reached at the house of his uncle he found that three persons namely, Arun Kr. Singh, Kapildeo Thakur and Abhyanand Singh were found dead at the Bathan of his uncle. The police recovered empty cartridges and live cartridge from the Bathan of Bachcha Singh.

It has been submitted on behalf of the petitioner that the petitioner is not named in the F.I.R. The case was instituted in the year 2007. The petitioner has been made accused in the present case on the basis of confessional statement of co-accused, Rohit Sahni and on that basis requisition was sought for by the Investigating Officer from the court in the year 2014.

On behalf of the State, it has been submitted that the name of the petitioner has appeared in the present case in course of investigation.

Considering the aforesaid facts and circumstances that the petitioner has been made accused in the present case after a lapse

of approximately seven years, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, in connection with Patepur P.S. Case No. 136 of 2007.

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(Sudhir Singh, J)