

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54419 of 2017

Arising Out of PS.Case No. -543 Year- 2016 Thana -KANTI THARMAL POWER District -
MUZAFFARPUR

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Jitendra Kumar @ Golu Thakur @ Jitendra Kumar Thakur Son of Ram
Iqbal Thakur, R/o Village- Arara, P.S.- Kanti, in the District Muzaaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

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

For the Opposite Party/s : Mr. Chaubey Jawahar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 14-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Kanti P.S. Case No. 543
of 2016 registered under Sections 302 and 448/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Four named accused person are said to have gunned
down the son of the informant and the informant, his wife and
daughter witnessed the accused absconding.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.
The allegation levelled against the petitioner is not specific rather
omnibus. There is nothing cogent in the case dairy indicating the



complicity of the petitioner in the occurrence barring the confessional statement of the petitioner and that of the co-accused Gautam Kumar Choudhary which has no evidentiary value in the eye of law. Petitioner is not named in the F.I.R. As per the F.I.R., specifically four named accused persons were involved in the occurrence and the informant has not suspected hand of any other person in the said occurrence. The doctor conducting the autopsy of the cadaver of the deceased has found only one injury on the chest of the informant and the assailant of the deceased is not ascertained. The petitioner has been languishing in custody since 20.04.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 Sub-Divisional Judicial Magistrate, West, Muzaffarpur in connection with Kanti P.S. Case No. 543 of 2016.

(Prakash Chandra Jaiswal, J)

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