

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52288 of 2017

Arising Out of PS. Case No.-20 Year-2016 Thana- MUZAFFARPUR RAIL P.S. District- Saran

Rakesh Thakur @ Shankar Thakur, S/o Late Ramnath Thakur, R/o Village-Sain, O.P.-Belsar, P.S.-Vaishali, District-Vaishali... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha

For the Opposite Party/s : Mr. SMT. PRONATI SINGH

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in connection with Rail Muzaffarpur P. S. Case No. 20 of 2016 registered for the offences punishable under Sections 147, 148, 149, 435, 341, 342, 323, 504, 506 of the Indian Penal Code, Section 27 of the Arms Act and Sections 15, 17 and 20 of the U. A. P. Act.

The petitioner is not named in the first information report which is against unknown. During investigation three persons, namely, Gulab Chand Ram, Ajit Kumar and Ajay Sahni were apprehended who made confession before the Police stating the name of the petitioner also regarding involvement in the crime.

Submission is of false implication and that on the alleged date of occurrence the petitioner was not present in Bihar as he has settled in Gauhati where he runs a saloon. He came to know



about this case from his family members. The petitioner has no naxalite connection and whenever any unfortunate incident took place then the police put the name of the petitioner in that case only to spoil the career of the petitioner, except extra judicial confession of three co-accused there is nothing against the petitioner. Similarly situated co-accused Ganaur Kumar Paswan @ Raju Paswan has been allowed pre-arrest bail vide order dated 17.10.2017 passed in Cr. Misc. No. 47946 of 2017 and as such the petitioner also deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, the petitioner above named, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate (Rail), Sonapur, Saran in connection with Rail Muzaffarpur P. S. Case No. 20 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

avin/-

(Jitendra Mohan Sharma, J)

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