

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51980 of 2016

Arising Out of PS.Case No. -135 Year- 2015 Thana -LALGANJ District- VAISHALI(HAJIPUR)

Sujit Kumar @ Katari @ Katari Thakur, S/o Late Parmeshwari Thakur,
Resident of Village- Pojhiya, P.S.- Lalganj, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 29-11-2017

Heard Mr. Ratanakar Jha, learned counsel for

the petitioner and Mr. J.N. Thakur, learned counsel for the State.

The petitioner has renewed the prayer for anticipatory bail in a case registered for the offences punishable under Sections 341, 325, 324, 384, 307, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that for non-payment of extortion amount firing was resorted to by co-accused Babloo Thakur, Deomitra Shukla and the petitioner. The firing made by co-accused Babloo caused injury on the leg of the informant whereas the firing made by the petitioner and Deomitra Shukla did not cause any injury. It is also alleged that co-accused Deomitra Shukla took away gold chain worth rupees fifty thousand and cash of rupees eight thousand of the informant.



It is submitted by learned counsel for the petitioner that due to political rivalry the accusation has been levelled and admittedly the firing made by the petitioner caused no injury.

Though, the earlier anticipatory bail application of the petitioner was disposed of vide order dated 17.09.2015 passed in Cr. Misc. No. 37587 of 2015, as contained in Annexure-1, with observation that it is a case of consideration of prayer for regular bail if the petitioner surrenders within a period of six weeks. However, prayer has been renewed in view of the fact that similarly situated co-accused Deomitra Shukla has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 28.09.2016 passed in Cr. Misc. No. 37424 of 2016, as contained in Annexure-6. This Court is not inclined to revise the earlier order since it was passed in 2015, but in view of the fact that the case of the petitioner and that of co-accused Deomitra Shukla is on the similar footing, and the later has granted anticipatory bail, under such circumstance this petitioner also deserves consideration of prayer for grant of regular bail by the learned Court below, if the petitioner surrenders before the learned Court below within a period of six weeks from today in connection with Lalganj P.S. Case No. 135 of 2015



pending in the court of learned Chief Judicial Magistrate, Vaishali at Hajipur. It is expected from the learned Court below to dispose of the application of the petitioner, preferably on the same day.

Accordingly, this application is disposed of with the above observation and direction.

(Dinesh Kumar Singh, J)

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