

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43451 of 2017

Arising Out of PS.Case No. -213 Year- 2016 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Kunal Thakur, Son of Ajay Thakur, resident of Village- Barohiya, P.S.
Chanpatia, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
Mr. Shard Kr. Verma

Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Pancha Nand Pandit

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
06.06.2017 in connection with Bettiah Muffasil P.S. Case No. 213
of 2016 for offences punishable under Sections 323, 307, 386/34
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his elder brother owns a gate-grill shop and on 21.05.2016 one
Ali Mian had come to his house, assaulted him and threatened him
of dire consequences. The next day some miscreants came and hit
his elder brother on his head and stuck a paper in which “ I am



Royal” was written, a picture of the pistol was there and a demand of Rs. 10 lakhs as rangdari was also made.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and his name surfaced only during investigation and on the confessional statement of co-accused Prakash Kumar before the police, which has no evidentiary value in the eye of law. He submits that petitioner is not a member of the said gang, there is no injury report to ascertain the injury and petitioner has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted and there is no allegation of any overt act or rangdari being collected by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and is accused in five more cases.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Bettiah Muffasil P.S. Case No. 213 of 2016,



subject to the conditions that :

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating their relationship with the petitioner.
- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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