

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12291 of 2019**

Arising Out of PS. Case No.-417 Year-2018 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

MANISH KUMAR THAKUR @ MANISH KUMAR @ MANISH
THAKUR, aged about 35 years, Male, Son of Late Raj Mohan Thakur,
Village - Patahi, P.S.- Muzaffarpur Sadar, Distt – Muzaffarpur
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Ravi Ranjan, Adv.
For the Opposite Party : Mr. Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 08-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Sadar P.S. Case No. 417 of 2018 for the offences alleged under
Sections 399, 402 and 414 of the Indian Penal Code and 25(1-
b)A, 26 and 35 of the Arms Act.

The accusation is that on receiving secret information
about gathering of miscreants in 8-10 numbers at village
Jagannath Patehi for planning to commit the dacoity, the
informant and police personnel reached there, then, on seeing
the police party miscreants started to flee away, but, four were
apprehended, who disclosed their names as Mayank Kumar @
Monu, Kanhai Kumar Thakur, Brajesh Kumar and Chandan
Kumar. On search, they were found with arms and ammunitions



and they also disclosed the names of Kundan Kumar Thakur, Prince Thakur and the petitioner, who succeeded in fleeing away.

The submission of the learned counsel for the petitioner is that the petitioner was not apprehended on spot rather the names of the petitioner and two others have been disclosed by four co-accused, who are said to be apprehended on the spot. In fact, the petitioner has been made accused in three cases as detailed in paragraph 3 of the petition and due to that reason the petitioner has been implicated by the police in the present case.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Sadar P.S. Case No. 417 of 2018 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code as



well as subject to the condition that one of the bailors shall
either be the parent or the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

Shamshad/-

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