

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.101 of 2019

Arising Out of PS. Case No.-167 Year-2017 Thana- JANKINAGAR District- Purnia

Rajesh Thakur Son of Late - Ramchandra Thakur, Resident of Village - Dibra
Bazar, P.S.- Barhara, District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Murlidhar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 06-11-2019 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections
302, 120B of the IPC and 27 of the Arms Act.

Petitioner's prayer for bail was earlier rejected on
04.05.2018. Prayer has been renewed by this application.

Counsel for the petitioner submits that informant has
alleged that occurrence took place at 1 A.M., in the dead of
night, inside the house. Identification of the petitioner is not
supported by any means.

Considering the fact that allegation against the
petitioner was of having caused fatal firearm injury, this court
had rejected prayer for bail earlier.

In the instant proceedings, report was called for



regarding position of the trial. The report dated 22.10.2019 submitted by the court below suggests that many opportunities have been given for producing prosecution witnesses but prosecution is not producing any witness. Petitioner is in custody by now for more than two years.

Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sessions Judge, Purnea in Sessions trial no. 208/2018/CIS no. 208/2018 arising out of Jankinagar P.S. Case no. 167/2017 subject to the following conditions.

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

s.hassan/-

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