

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15958 of 2019

Arising Out of PS. Case No.-356 Year-2018 Thana- UDWANTNAGAR District- Bhojpur

MUNNA KUMAR THAKUR, aged about 22 years (Male), S/o Late Binod Thakur, R/o Village- Krishna Nagar, Pakari, P.S.- Ara Nawada, District- Bhojpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ravindra Kumar, Advocate.

For the Opposite Party : Mr.Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 05.10.2018 in a case for the offence registered under Sections 302, 207, 120(B)/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that the informant is being the partner in Raj Auto Mobiles Agency, Zero Mile, Ara, on 20.09.2018 at about 11.25 A.M., was sitting in the office then he heard the sound of firing in his Showroom. He came and saw that one miscreant having pistol on his hand was fleeing away and. At once, the said miscreant returned in his Showroom and hurled pistol and took out Card from his pocket and thrown in the Showroom and while threatening told to communicate the



owner that his name is Hero. Thereafter, the said miscreant and two other accused went on Motorcycle and were waiting outside towards Zero Mile hurling pistol. Thereafter, injured staff Saroj Ranjan Yadav and Vipul Kumar were brought to the Sadar Hospital, Ara for treatment where Vipul Kumar Mishra died and for better treatment Saroj Ranjan Yadav was admitted in the clinic of Dr. Vikas Kumar where treatment was going on. The entire occurrence has been recorded in CCTV Camera from which everything will be clear.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. Neither there is any eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Bhojpur at Ara, in connection with Udwanthnagar P.S. Case No. 356 of 2018.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

