

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23247 of 2019

Arising Out of PS. Case No.-19 Year-2013 Thana- KARJA District- Muzaffarpur

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Gaurishankar Thakur @ Gauri Thakur, Son of Shyamdev Thakur, Resident of
Village - Repura, P.S.- karza, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar @ Vijay Kr. Singh, Advocate.
For the Opposite Party/s : Mr.Anita Kumari Singh, APP

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

ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Karja
P.S. Case No. 19 of 2013, registered under Section 302/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The accusation is that informant, Dhanraj Rai, had
gone to liquor shop situated at Repura Chouck, where son of his
elder brother, Rabindra Kumar, was doing the job of salesman
for taking money to purchase the fertilizer on 02.02.2013, at
about 1.30 P.M. At that time, four persons came near the liquor
shop, out of whom, Niraj Thakur and Pankaj Thakur
accompanied his nephew at the adjacent tea shop, where Sujit
Kumar and unknown persons were present. They told his



nephew to this effect that he does not provide liquor. In the meantime, Niraj Thakur and Pankaj Thakur shot fire at his nephew, Rabindra Kumar, through pistol. While alarm was raised but all succeeded to flee away making firing in the air.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the informant has disclosed the name of only three persons, out of four miscreants, involved in the crime with specific allegation against accused, Niraj Thakur and Pankaj Thakur to make indiscriminate firing at his nephew detailing the physique of forth culprit. But in course of investigation, witnesses disclosed that petitioner was present at the place of occurrence. Further submission is that for the sake of argument, if the petitioner was found there at the time of occurrence, it is not quite unnatural as the place of occurrence is market and specific allegation is against Niraj Thakur and Pankaj Thakur to shot fire at the deceased, nephew of the informant. It is further submitted that petitioner has no criminal antecedent and is in custody since 17.01.2019.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on 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 S.D.J.M. (West), Muzaffarpur, in connection with Karja P.S. Case No. 19 of 2013. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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