

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16618 of 2020**

Arising Out of PS. Case No.-171 Year-2019 Thana- KATRA District- Muzaffarpur

1. RAKESH RAUSHAN THAKUR @ RAUSHAN THAKUR S/o Laxmeshwar Thakur Resident of Village- Jainar, P.S.- Katra, District- Muzaffarpur.
2. Vikram Paswan @ Sanjeet Paswan @ Tipu Paswan S/o Bimal Paswan Resident of Village- Jainar, P.S.- Katra, District- Muzaffarpur.
3. Manish Thakur @ Ashu Thakur @ Lalu Thakur S/o Ashish Thakur @ Bauna Thakur Resident of Village- Jainar, P.S.- Katra, District- Muzaffarpur.
4. Kalyan Kumar Son of Amar Paswan Resident of Village- Jainar, P.S.- Katra, District- Muzaffarpur.

... .. Petitioners.

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate.  
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      15-10-2020                      Heard learned counsel for the petitioners and the learned A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in Katra P.S. case No. 171 of 2019 registered for the offences punishable under Sections 147, 148, 149, 447, 448, 341, 323, 307, 380, 427, 504 & 506 of the Indian Penal Code and Section 27 of the Arms Act pending in the Court of learned A.C.J.M.-14, Muzaffarpur .

The prosecution case, in nutshell, is that while the informant was at his house, five F.I.R. named accused persons



including the petitioners along with 18-20 unknown miscreants having fire arms in their hands came there on eight motorcycles and one Scorpio and entered in his courtyard and are said to have started indiscriminate firing. They also slated him. On protest made by him, they assaulted him, his daughter-in-law, sister-in-law and threw an eight months baby. They also committed theft of cash of Rs. One lakh and ornaments. They also damaged his motorcycle. When the villagers reached there, they managed to escape.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. As a matter of fact, the nephew of the informant is involved in illegal business of foreign liquor and on the alleged date of occurrence his rival gang might have attacked on his house but taking benefit of the said occurrence the present case was lodged implicating the petitioners, who always opposed his illegal business.

*Per contra*, learned APP for the State vehemently opposing the bail petition submitted that from perusal of



paragraph nos.1, 2, 3, 13, 14, 15, 16, 17, 18, 34, 35, 36, 42, 45 & 48 of the case diary, it appears that there is sufficient evidence against the petitioners, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, the petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order on the very date of surrender.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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