

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17409 of 2020**

1. Jitendra Thakur @ Jhunjhun Thakur, son fo Shatrudhan Thakur.
2. Bittu Thakur, son of late Yadubansh Thakur
Both resident of village Kushi Harpur Rammi, P.S.-Kanti, District-Muzaffarpur Petitioners
Versus
The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar @ Sanidh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No.-1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 23-07-2020 Heard learned counsel for the petitioners and Mr. Dilip Kumar No. 1, learned APP for the State.

Petitioners in the present case are seeking pre-arrest bail in connection with Motipur P.S. Case No. 462 of 2019 registered for the offences punishable under Section 399, 402 IPC and Sections 25(1-b)a, 26/35 of the Arms Act

Learned counsel for the petitioners submits that save and except the confessional statement of the co-accused in which the name of these petitioners have transpired there is no material against these petitioners in the present case. It is further submitted that in paragraph '3' of this application although it is stated that petitioner no. 1 has two more cases and petitioner no. 2 has one case on his head but in fact the petitioner no. 1 has also only one case against him.

Learned APP for the State submits that in the present case in course of investigation police has found enough materials including the confessional statement of the co-accused Sundaram @ Monu against these petitioners. It is alleged that these petitioners along with the co-accused have committed several crimes of road robbery and dacoity and



these facts have transpired in various paragraphs of the case diary which have been referred by learned Additional Sessions Judge IX, Muzafarpur in the impugned order. Police has already submitted a chargesheet bearing no. 1 of 2020 against the accused applicants for the offences punishable under Section 399, 402 IPC and Sections 25(1-b)a, 26/35 of the Arms Act. It is, thus, his submission that in the facts and circumstances of the case considering the gravity of the allegations and the materials available on the record these petitioners do not deserve privilege of pre-arrest bail.

Having regard to the facts and circumstances of the case since this Court has noticed from the allegations made in the First Information Report as well as the impugned order that in course of investigation the apprehended accused has disclosed not only his own involvement in the commission of crime but has also stated that these petitioners are involved with him in commission of robbery at the Fino Bank on 07.06.2019 and on 26.07.2019 at DTDC Courier Company situated at Kanti and on further finding that these petitioners have got criminal antecedent of similar nature, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

This application is thus dismissed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

