

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25560 of 2020

Arising Out of PS. Case No.-84 Year-2019 Thana- IMADPUR District- Bhojpur

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JAYRAM THAKUR @ JAI RAM THAKUR S/o Prem Chand Thakur @
Prem Chandra Thakur Resident of Village- Moap Kala, P.S.- Imadpur,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Kumar Singh

For the Opposite Party/s : Mr. Ram Anugrah Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Shri Ram Anugrah Singh, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Imadpur P.S. Case No. 84 of 2019 for the offence punishable under Sections 341, 323, 324, 325, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons including the petitioner herein having assaulted the father of the informant and as far as the petitioner is concerned, he is stated to have



fired from his pistol causing gun shot injury in the right thigh of the father of the informant, namely, Yogesh Thakur.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in custody since 23.05.2020. It is further submitted that the allegation of firing is not on the vital part of the body of the father of the informant, hence there was no intention to kill the father of the informant, as far as the petitioner is concerned.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also taking into account the fact that a general and omnibus allegation of assault has been leveled against the accused persons and moreover as far as the petitioner is concerned, he is stated to have fired along with one Laxman Thakur from their pistol in the right thigh of the father of the informant, though there is only one wound of entry and exist, apart from the fact that the petitioner is having a clean antecedent and is languishing in custody since 23.05.2020, this Court finds that benefit of doubt can be granted to the petitioner



for the purposes of grant of bail, hence I deem it fit and to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhojpur at Ara in connection with Imadpur P.S. Case No. 84 of 2019.

(Mohit Kumar Shah, J)

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