

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80283 of 2019

Arising Out of PS. Case No.-285 Year-2016 Thana- BETTIAH CITY District- West
Champaran

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KUNAL THAKUR, Son of Ajay Thakur, Resident of Village- Barohiya, P.S.-
Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Adv.
For the Opposite Party/s : Mr.Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 23-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The matter has been taken up through virtual Court
proceeding.

The petitioner who is languishing in custody since
21.12.2017 has renewed the prayer for bail third time, in
connection with a case registered for the offences punishable
under Sections 387, 120B of the I.P.C. and Sections 3/4 of the
Explosive Substances Act.

The prosecution case as per the written report of Dr. N. N.
Sahi submitted before the S.H.O., Bettiah Town Police Station is
to the effect that on 03.06.2016, at 11.25 P.M., bomb explosion
was made near north gate of the house of the informant. When



the informant went to verify, he found a chit of paper and posters whereby Rupees Thirty Five Lacs extortion was demanded and life threatening was given to the informant, leading to registration of FIR against the signatory who signed the said paper as 'Royal. Subsequently, the name of the petitioner sprang up on the confession of co-accused, Prakash in Betia Town P.S. Case No. 280 of 2016.

Learned counsel for the petitioner submits that merely on the basis of confession of co-accused, the petitioner has been roped in the present case and he has been remanded altogether in eight cases, but he is on bail in all the cases. Earlier prayer for bail of the petitioner was rejected twice, but till date, only one witness has been examined and there is no likelihood of trial being concluded in near future since the physical Court proceeding is not conducted due to the present pandemic, Covid-19.

Learned APP for the State submits that earlier prayer for bail of the petitioner was rejected twice and the petitioner has many criminal antecedent.

Considering the fact that all of sudden in 2016, the petitioner has been remanded in all the cases, and in all these cases, he has been granted bail, there is no likelihood of trial



being concluded in near future due to the present pandemic, Covid-19, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Additional Sessions Judge, F.T.C. -1, West Champaran, Bettiah, in connection with S.T. No.342 of 2019 arising out of Bettiah Town P.S. Case No. 285 of 2016.

However, in view of the present pandemic, COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Additional Sessions Judge, F.T.C. -1, West Champaran, Bettiah, in connection with S.T. No.342 of 2019, arising out of Bettiah Town P.S. Case No. 285 of 2016.

The learned Court below will further be at liberty to



extend the period of provisional bail further if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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