

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7885 of 2020

Arising Out of PS. Case No.-328 Year-2015 Thana- MIRGANJ District- Gopalganj

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Ramesh Kumar Thakur @ Ramesh Thakur, Son of Sudarshan @ Sudarshan Thakur @ Manish Kumar, Resident of Village Bhopatpur, P.S. Khampar, District Deoriya (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Umesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 02-12-2021 Learned counsel for the petitioner filed supplementary affidavit today in Court, which is kept on record.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in Mirganj P.S. Case No.328 of 2015, registered for the offences punishable under Sections 326, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the three unknown accused is that they stopped the informant of the present case on way and made indiscriminate firing on him.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. The petitioner is not named in the FIR and the FIR is against three unknown persons, except which there is no objective material to connect the petitioner with the alleged occurrence. His name has surfaced on the basis of statement of police spy. It is further submitted that similarly situated co-accused, Prince Kumar has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 03.03.2020, passed in Cr. Misc. No.6177 of 2020. It is further submitted by filing a supplementary affidavit that process under Sections 82 and 83 has not been issued by the learned court below against the petitioner but in the impugned order it is mentioned that process under Section 82 Cr.P.C. has been issued. It is lastly submitted that the petitioner has got no criminal antecedent as stated in para 3 of the bail petition.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Having considered the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate,
XVI, Gopalganj in connection with Mirganj P.S. Case No.328 of
2015, subject to the conditions laid down under Section 438(2)
Cr.P.C.

(Anjani Kumar Sharan, J.)

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