

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16337 of 2020**

Arising Out of PS. Case No.-125 Year-2018 Thana- KAMTAUL District- Darbhanga

MANISH KUMAR THAKUR @ MANISH THAKUR @ MONU THAKUR
@ BHANU THAKUR, male aged about 24 years, son of Shyam
Sundar Thakur, resident of village-Ratanpur, P.S.-Kamtaul,
District-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, Advocate

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 13-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner apprehends his arrest in
connection with Kamtaul P.S. Case No. 125 of 2018 registered
for the offence punishable under sections 395, 397/34 of the
Indian Penal Code.

The informant, Kamlesh Kumar lodged the FIR
stating therein that when he was returning to his house with
Mintu Kumar and reached near Ratanpur Shishu Vidya Mandir
at about 10:30 pm, 10 miscreants were present there who
stopped the informant and started assaulting him and also
snatched the Rs. 35,000 from the possession of Mintu Kumar.



The informant identified the seven accused persons, including the present petitioner in the light of motorcycle. It has further been alleged that co-accused Ravi Kumar Raut and Bablu Kumar Raut ordered other accused persons to kill the informant, otherwise the informant might implicate them in police case. On hue and cry, when the villagers came there, the miscreants fled away. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case.

The learned counsel for the petitioner has also submitted that in FIR on one place, the informant has stated that he has identified the accused persons in the light of motorcycle and on the other hand, he has stated that the villagers have identified them. He has further submitted that on the same footing, the Co-accused Kumar Sameer @ Johney Kumar Thakur @ Johney Thakur @ Johney Kumar has been granted anticipatory bail, vide Cr. Misc. No. 68165 of 2018 by the Co-ordinate Bench of this Court, vide order date 07.01.2019.

Learned Addl. Public Prosecutor has submitted that the witnesses in paragraph nos. 39, 40, 41 of the case diary have named the present petitioner and the present petitioner has also criminal antecedent, as has been disclosed in paragraph 3 of the



anticipatory bail petition.

Considering the facts and circumstances as well as the criminal antecedent, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for bail is rejected.

(Nawneet Kumar Pandey , J)

Gaurav Kumar/-

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