

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No. 28039 of 2020**

Arising Out of PS Case No.-489 Year-2018 Thana- DARBHANGA SADAR District-  
Darbhanga

=====

Rupesh Thakur @ Satyam Kumar (Male), aged about 38 years, Son of  
Prahlad Thakur, Resident of Village-Sain, P.S.-Kanti, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

|                      |   |                                                                              |
|----------------------|---|------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Ajay Kumar Thakur, Advocate with<br>Mr. Pushpendra Kumar Singh, Advocate |
| For the State        | : | Mr. Ram Anurag Singh, APP                                                    |

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN  
AMANULLAH**

**ORAL JUDGMENT**

**Date : 25-01-2021**

Heard Mr. Ajay Kumar Thakur, learned counsel along  
with Mr. Pushpendra Kumar Singh, learned counsel for the  
petitioner and Mr. Ram Anurag Singh, learned Additional Public  
Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with  
Darbhanga Sadar PS Case No. 489 of 2018 dated 22.12.2018,  
instituted under Sections 302, 120 (B) of the Indian Penal Code  
and 27 of The Arms Act, 1959.

3. The allegation against the petitioner, though not  
named in the FIR, is of killing the brother of the informant.

4. Learned counsel for the petitioner submitted that  
nothing has come against him and only on the confessional



statement of Niraj Mukhiya, Bhola @ Ritu Ranjan Kumar and Rupesh Kumar Singh, who were arrested by the police, he has been implicated as being an accomplice to the crime. Learned counsel submitted that there is no witness and only on the so-called confessional statement, that too before the police, his name was introduced. It was further submitted that the above three persons arrested by the police have been enlarged on bail by the Court.

5. Learned APP submitted that the three persons who were arrested have taken the name of the petitioner as being an associate in the killing and the petitioner has two other criminal cases under various sections of the Indian Penal Code, including Section 307.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

**(Ahsanuddin Amanullah, J.)**

Anand Kr.

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