

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3080 of 2021

Arising Out of PS. Case No.-76 Year-2020 Thana- SURSAND District- Sitamarhi

RAKESH KUMAR THAKUR @ RAKESH THAKUR son of Shree Narayan Thakur @ Shree Thakur Resident of Village - Birakh, P.S. - Sursand, District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-07-2021 Heard learned counsel for the petitioner and the State through virtual mode.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 504, 379/34 of the Indian Penal Code/.

Allegedly, while the pick up Van of the informant loaded with hen was going to village Nocha Machhpakauni, in the way, some unknown persons intercepted and demanded Rs. 20000/- on the occasion of Holi. On refusal, the accused persons abused and assaulted the informant with fist and slaps. It is further



alleged that Rs. 2550/- was snatched away and loaded hen was looted away.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. There is dispute for business rivalry between the parties and for the said reason, the present case has been instituted. No stolen property is said to have been recovered from possession of the petitioner. The name of the petitioner has transpired in this case merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Judicial Magistrate-Ist Class, Pupri, Sitamarhi in connection with Sursand P.S. Case No. 76 of 2020 subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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