

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1476 of 2021**

Arising Out of PS. Case No.-190 Year-2020 Thana- SAHEBPUR KAMAL District-
Begusarai

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JONTEE THAKUR @ SANJEET KUMAR SON OF SHUKL THAKUR @
SHUKKAL THAKUR @ SUKHDEO THAKUR RESIDENT OF VILLAGE
- KURHA, P.S. - SAHEBPUR KAMLA, DISTRICT - BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abdul Mannan Khan, Advocate.
Mr. Binay Kumar, Advocate.
For the Opposite Party/s : Mr. Parmanand Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 08-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects within four weeks of resumption of normal
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 399 & 402 of the Indian
Penal Code and Section 25 (1-b)a/26/35 of the Arms Act.

As per the prosecution case, acting on a tip-off
when the informant arrived at the place of occurrence four



persons managed to escape but the driver of the vehicle was apprehended and on search of the car one pistol and two live cartridges are said to have been recovered from the said car.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused Pawan Kumar Yadav which has no evidentiary value in the eye of law and the said Pawan Kumar Yadav has been enlarged on bail by a co-ordinate bench of this court vide order dated 02.12.2020 passed in Cr. Misc. No.31290 of 2020. The petitioner has been languishing in custody since 20.08.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after framing of**



charge, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Sahebpur Kamal P.S. Case No.190 of 2020.

(Anjani Kumar Sharan, J)

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