

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41165 of 2020

Arising Out of PS. Case No.-75 Year-2020 Thana- PURNAHYA District- Sheohar

PRAMOD THAKUR SON OF VINDESHWAR THAKUR RESIDENT OF
DOSTIYA, P.S. - PURNAHIYA, DISTRICT - SHEOHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Ranjeet Kumar Mishra, Adv.
For the Informant	:	Mr. Arun Kumar, Adv.
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has filed the instant application for grant of regular bail in connection with Purnahiya P.S. Case no. 75 of 2020 registered under sections 302 and 120B of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, it is stated that three accused persons, namely, Sateyndra Jha, Mritunjay Kumar Thakur and Jay Mangal Jha came on a motorcycle and it was Mritunajy Kumar Thakur and Jay Mangal Jha, who shot on the son of the informant and escaped. It is further stated that the occurrence has taken place because of previous land dispute between the parties and the petitioner herein has been putting



pressure and threatening the informant that he would kill him.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would be evident that the main allegation of overt act is on Mritunjay Kumar Thakur and Jay Mangal Jha and not the petitioner herein. It is further submitted that so far as petitioner is concerned only unsubstantiated allegation of giving threat has been levelled against him. The petitioner is in custody since 15.7.2020 and investigation with respect to him has concluded.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the FIR but there is direct allegation against him that it was he, who has been regularly threatening the informant and the members of his family of having them killed because of land dispute. It is further submitted that the petitioner has suppressed his antecedent in paragraph no. 3 of the petition. It is prayed that the application for bail should be rejected.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner and on perusal of the FIR from which it transpires that it is Mritunajy Kumar Thakur and Jay Mangal Jha against whom



there is allegation of overt act together with the petitioner being in custody since 15.7.2020, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Purnahiya P.S. Case no. 75 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheohar.

(Partha Sarthy, J)

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