

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57599 of 2021

Arising Out of PS. Case No.-631 Year-2020 Thana- ALAMGANJ District- Patna

MUNNA THATHERA S/o Bisun Saw Resident of Village- Chaili Tal, near
Kamta School, P.S.- Alamganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Special Case No. 6121 of 2020 arising out of Alamganj P.S. Case
No. 631 of 2020 for the offence registered under Sections 341,
323, 307, 385/34 of the Indian Penal Code, Section 37(c) of the
Bihar Prohibition & Excise Amendment Act and Section 27 of the
Arms Act.

The allegation is regarding the accused persons having
arrived in the area in question and fired gun shots, whereafter the
co-villagers had arrived at the place of occurrence and one co-
accused person namely Suraj Kumar Yadav was apprehended
while the petitioner and one other co-accused person had managed
to flee away. As far as the accused person who was apprehended
from the spot, is concerned, he was found to be in drunken state.

The learned counsel for the petitioner has submitted that



the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 12.03.2021. The learned counsel for the petitioner has further submitted that the petitioner has neither been arrested from the spot nor anybody has seen him firing gun shot.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 6121 of 2020 arising out of Alamganj P.S. Case No. 631 of 2020.

(Mohit Kumar Shah, J)

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