

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47816 of 2021

Arising Out of PS. Case No.-205 Year-2021 Thana- TAJPUR District- Samastipur

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BIRENDRA THAKUR @ BIRENDRA KUMAR THAKUR Son of Krishna
Dev Thakur @ Bharat Thakur @ Bharat Resident of Village- Harilochanpur
Tiswara, P.S.- Sarairanjan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Tajpur
(Halai O.P.) P.S. Case No. 205 of 2021 registered for the
offence under Sections 147, 148, 149, 447,341, 307 of the
Indian Penal Code and Section 27 of the Arms Act.

The petitioner is said to have fired upon the sons of
the informant as a result of which, they sustained gun shot
injuries.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case only on the basis of suspicion. He
further submits that the petitioner happens to be informant



of Sarairanjan P.S. Case No. 118 of 2013 in which the son of the informant, who is victim in this case, has been made accused and on account of that, this petitioner has falsely been implicated in this case. He further submits that there is general and omnibus allegation against the petitioner and no specific alleagation of firing is attributed to him. The petitioner is rotting in judicial custody since 28.05.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 A.C.J.M.-I, Samastipur in connection with Tajpur (Halai O.P.) P.S. Case No. 205 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled



by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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