

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57895 of 2021**

Arising Out of PS. Case No.-316 Year-2017 Thana- BIHIA District- Bhojpur

1. Ramdeo Thakur S/O Late Jamuna Thakur R/o Village- Goura, P.S.- Bihiya (Baharanpur O.P.), District- Bhojpur.
2. Shivanand Thakur @ Munna Thakur S/o Ramdeo Thakur R/o Village- Goura, P.S.- Bihiya, (Baharanpur O.P.), District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. SD Sanjay, Sr. Advocate  
Mr. Santosh Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      11-07-2022                      Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Bihiya P.S. Case No. 316 of 2017, registered for the offences punishable under Section 302 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

Prosecution case in brief is that specific allegation of firing upon younger brother of informant is against co-accused Devanand Thakur @ Tunnu Thakur who died on the spot.

It is submitted that the only allegation against petitioners are that petitioners having armed came at Dalaan of informant and instigated co-accused Devanand Thakur @ Tunnu



Thakur, as a result of which he fired upon the brother of informant (deceased). There is no specific allegation of overt act against these petitioners. During course of investigation, none of the witnesses have supported the occurrence and it has come that on the alleged date and time of occurrence petitioners were not present and they were busy in cremation of their relative namely, Manoj Thakur who had been killed one day before the alleged occurrence for which Bihiya PS Case No. 315 of 2017 was registered. Petitioners have got clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Bihiya P.S. Case No. 316 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

vinita/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

