

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58866 of 2021

Arising Out of PS. Case No.-250 Year-2020 Thana- KATRA District- Muzaffarpur

Ram Umed Thakur S/o- Ramvilash Thakur Resident of Village- Lakhanpur,
P.S.- Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Katra PS case no. 250 of 2020 instituted for the offences
punishable under Sections 307, 323, 341, 379, 504/34 of Indian
Penal Code.

The allegation is regarding the accused persons
including the petitioner herein having arrived at the door of the
house of the informant, whereafter co-accused person namely
Ravi Thakur is alleged to have given iron rod blow on the head
of the informant as also on the person of the father of the
informant when he had arrived there to save his son, resulting in
the informant receiving various injuries.

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 is languishing in custody since 28.06.2021. The learned counsel for the petitioner has further submitted that a bare perusal of the F.I.R. would show that as far as the petitioner is concerned, no allegation of any sort of specific overt act has been levelled and the specific allegation of assaulting the informant by iron rod is upon the co-accused person namely Ravi Thakur, hence the petitioner has got no role to play in the alleged incident. It is also submitted that though the incident has taken place in the night of 04.11.2020, but the F.I.R. has been filed belatedly only on 10.11.2020, hence false implication of the petitioner cannot be ruled out.

Per contra, the learned A.P.P. 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 parties and taking into account the materials available on record as also considering the fact that the petitioner has not been alleged to have engaged in any sort of overt act and moreover, he is having a clean antecedent and is languishing in custody since 28.06.2021, I deem it fit and proper to admit the



petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of J.M. 1st class, Muzaffarpur in connection with Katra PS case no. 250 of 2020.

(Mohit Kumar Shah, J)

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