

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63377 of 2021

Arising Out of PS. Case No.-197 Year-2021 Thana- MOTIPUR District- Muzaffarpur

MADAN THAKUR, Son of Late Hari Nandan Thakur Resident of Village-
Noonfara, P.S.- Piar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 26-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory
bail, arises out of Motipur Police Station Case No. 197 of 2021,
disclosing offences under Sections 400, 120(B), 34 of the Indian
Penal Code and section 25 (1-B)a, 26, 35 of the Arms Act.

On 25.05.2022, the following orders was passed by
this Court :-

.....“From the impugned order it appears
that the learned court below has not discussed any
documentary evidence that any Scorpio belongs to
the petitioner and merely on oral evidence, the court
below has rejected the anticipatory bail application
of the petitioner. “Station House Officer of Motipur
Police Station, Muzaffarpur and the Investigating
Officer of the present case are directed to appear in
person in Court with the case diary for further
hearing tomorrow (26.05.2022) at 11 A.M.

Let a copy of this order be communicated to



the Station House Officer of Motipur Police Station, Muzaffarpur; the Investigating Officer of the present case for its compliance through FAX and e-mail forthwith.

Let a copy of this order be communicated to the Senior Superintendent of Police, Muzaffarpur by Mr. Jharkhandi Upadhyay, learned APP for the State on telephone so that police officials are present in Court tomorrow along with the case diary.

Put up this case tomorrow (26.05.2022) for further hearing.

Till further orders, petitioner shall to be arrested in connection with Motipur P.S. Case No. 197 of 2021 pending in the court of learned Additional Chief Judicial Magistrate-2nd West, Muzaffarpur.”

The Inspector, Officer I/c Motipur and I.O. are personally present, in Court. The I.O. has said that he has not been able to verify the fact as to whether any Scorpio belongs to the petitioner or not whereas this case has been filed against the petitioner due to enmity and as such, he has been falsely implicated in the case.

Considering the aforesaid fact, the application is allowed. The petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks, be released 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 learned ACJM, 2nd West, Muzaffarpur, in connection with Motipur Police Station Case No. 197 of 2021.



The petitioner will join the investigation and the police is directed to investigate the case properly and not to harass innocent citizen and pressurize them. The investigation in the case must be completed within a month.

With the aforesaid observation and direction, this application is allowed. The personal appearance of the police officers is dispensed with.

(Sandeep Kumar, J)

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