

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66966 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- VIDYAPATINAGAR District- Samastipur

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Anmol Thakur @ Anmol Kumar Thakur Son of Shri Shyamdeo Thakur
Resident Of Village - Chamatha Majhil Khut, P.S.- Vidyapati Nagar, District -
Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by the Stamp Reporter

within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Bal
Mukund Prasad Sinha, learned APP for the State.

Petitioner in the present case is seeking regular bail in
connection with Vidyapati Nagar P.S. Case No. 58 of 2021
registered for the offences punishable under Sections 302/34 of
the Indian Penal Code and Section 27 of the Arms Act. He is in
custody since 15.07.2021. The petitioner has no criminal
antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, when the husband of the informant was
returning home, all the FIR named accused persons including



this petitioner and some unknown persons stopped him and started abusing him. When the husband of the informant protested, co-accused Shyam Deo Thakur and Mira Devi assaulted on the leg of the husband of the informant with a piece of brick. Thereafter, co-accused Khesari Singh opened fire upon him as a result of which he died on the spot.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. It is submitted that there is no specific allegation against the petitioner. The petitioner is in custody since 15.07.2021 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submissions that in the First Information Report the specific allegations of assault have been made against other co-accused, the allegation of firing has been made against co-accused Khesari Singh and so far as this petitioner is concerned even though he is named in the FIR as one of the persons who were indulged in abusing the informant, no overt act has been alleged against the petitioner and further submission that the petitioner has already remained in custody in connection with this case since 15.07.2021, investigation



against him is complete and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Dalsingh Sarai, District-Samastipur in connection with Vidyapati Nagar P.S. Case No. 58 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

