

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71376 of 2021

Arising Out of PS. Case No.-371 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

Alok Thakur S/o Late Sushil Thakur R/o Vill. - Mitralok Colony Buxar, P.O. -
Gajadharganj, P.S. - Buxar (M), Dist. - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Buxar (Muffasil) P.S. Case No. 371 of 2020 instituted for the
offences under Sections 302, 120 (B) and 34 of the Indian Penal
Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 20.01.2021, charge-sheet has been
submitted in the case and antecedent of four cases.

Learned counsel for the petitioner submits that the
case has been lodged against five unknown persons who said to
have fired indiscriminately as a result of which the son of the
informant got fire arm injury and died.

Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence and he is not named in the F.I.R. He has been made accused only on the basis of confessional statement before the police. Further, submits that petitioner has not been put on T.I.P moreover three accused persons namely, Ajay Kumar @ Ajay Kumar Rajak and Krishna Yadav @ Krishna Kumar @ Mahakal who has been granted bail by a Co-ordinate Bench of this Court vide order dated 29.01.2021 passed in Cr. Misc. No. 17529 of 2021 and order dated 02.02.2021 passed in Cr. Misc. No. 19010 of 2021 and another co-accused namely, Sheru Yadav @ Sheru Singh having more or less similar allegations have already been granted bail on 18.11.2021 respectively.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 20.01.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-X, Buxar in connection with Buxar (Muffasil) P.S. Case No. 371 of 2020 subject to 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 cancelled 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.

(Khatim Reza, J)

Gaurav Kumar/-

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