

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11412 of 2023

Arising Out of PS. Case No.-105 Year-2022 Thana- KATIHAR MUFFASIL District- Katihar

Vimal Thakur @ Karan Kumar Thakur S/O Shankar Thakur @ Shankar Lal
Thakur R/O Village- Paikwahan, P.S- Azamnagar, District- Katihar, At
Present R/O Village- Bheriya Rahika Goshala, P.S- Mufassil, District- Katihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah @ Baranwal

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-05-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302/34
of the IPC and Section 27 of the Arms Act.

As per prosecution case, informant alleged that co-
accused called her husband but he did not return by late
night after that she got information that dead body due to
bullet injuries of her husband lying near Shiv Mandir. It is
further alleged that when informant along with deceased
was going to a shop then co-accused persons along with this
petitioner was planning to fire bullet in such a manner that



nobody would know about it.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is close friend of the deceased and merely on the basis of suspicion he has falsely been implicated in this case. There is no specific allegation of firing leveled against the petitioner and no consistent evidence found against him. Petitioner has no concern with the co-accused persons and not a single witness has stated about the presence of the petitioner at the place of occurrence. He has got no criminal antecedent. Similarly situated co-accused has already been granted bail by this Court vide order dated 06.04.2023 passed in Cr. Misc No. 73930 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 19.06.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is



directed to be released on bail in connection with Katihar
(Muffasil) P.S. Case No. 105 of 2022 on furnishing bail
bond of Rs.10,000/- (ten thousand) with two sureties of the
like amount each to the satisfaction of learned Additional
Sessions Judge-II, Katihar.

(Sunil Kumar Panwar, J)

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