

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28545 of 2022

Arising Out of PS. Case No.-63 Year-2021 Thana- KATIHAR MUFFASIL District- Katihar

SAURAV THAKUR @ SAURAB THAKUR Late Manoj Thakur R/o-
Bheriya Rahika,P.S.- Sahayak, Distt.- Katihar.

versus

The State of Bihar

... .. Petitioner/s
.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 16-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302 and 34 of
the Indian Penal Code.

As per the prosecution case, it is stated by the
informant that the petitioner telephoned and called the
informant's father to his house. On reaching near the petrol
pump the nine named accused persons and 9 to 10 others were
present there variously armed with lathi, danda, iron rod, brick
etc.. As a result of the assault by the accused persons together
with him being dashed by the motor vehicle, he died. There was
dispute between the accused and the informant's father.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case



because of pending dispute between the parties. No overt act has been alleged against him. He is not being named in the category of persons who were waiting near the petrol pump armed and who assaulted him leading to his death. Several FIR named co-accused have been enlarged on bail. The petitioner is in custody since 20.11.2021 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegation in the FIR, the nature of material that has transpired in course of investigation, the petitioner being in custody for more than 1 since 20.11.2021, charge sheet having been submitted in the case and grant of bail to several FIR named co-accused, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 77 of 2022 (Arising out of Katihar Mufassil P.S. Case no. 63 of 2021) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Katihar.

(Partha Sarthy, J)

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