

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32298 of 2023

Arising Out of PS. Case No.-577 Year-2022 Thana- TRIVENIGANJ District- Supaul

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Anil Kumar Thakur @ Ram Babu @ Ram Babu Thakur, Son of Late Bhola Prasad Thakur, R/o Village - Bhura Ward No.- 08, P.S.- Triveniganj, District - Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Avinash, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-08-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Triveniganj P.S. Case No.577 of 2022 registered for the offences punishable under Sections 148, 149, 448, 341, 323, 326, 307, 302, 427 of the Indian Penal Code and Section 27 of the Arms Act.

3. The accused/petitioner is named in the FIR and is in custody since 22.12.2022.

4. Allegation against the petitioner is to commit murder of the father of informant along with nine named co-accused persons after making a criminal trespass to the house of informant, where murder was alleged to be committed by



inflicting multiple knife injuries.

5. It is submitted by learned counsel that the occurrence is free fight in nature, where both parties appears in inimical term prior to this occurrence, where both parties received injures. It is submitted that for the same set of occurrence, a case as Triveniganj P.S. Case No.578 of 2022 was registered also by petitioner's side. It is submitted that during the course of investigation, it appears that it was co-accused, Manoj, Samrat and Sadho Thakur, who specifically inflicted fatal knife injuries to father of informant causing his death. While concluding argument, it is submitted that the petitioner is a man of clean antecedent and moreover investigation of this case is completed for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances and by taking note of fact as specific allegation surfaced against different co-accused persons and not against this petitioner during course of investigation causing death of father of informant, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since



22.12.2022, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Triveniganj P.S. Case No.577 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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