

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40152 of 2022

Arising Out of PS. Case No.-119 Year-2021 Thana- SIMRI District- Darbhanga

Raghunandan Thakur, Son of Chandra Bhushan Thakur, Resident of Village -
Parari, P.S.- Biraul, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar Sinha, Sr. Advocate Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s	:	Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 20-01-2023 Heard learned Senior counsel for the petitioner and
learned A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302 and 394 of
the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the
informant that while his brother-in-law was traveling on his
motorcycle, four unknown accused persons stopped his
motorcycle and looted Rs. 5000/- in cash besides other articles
as mentioned in the F.I.R. In the occurrence, gun shot injury was
received by the informant's brother-in-law who subsequently
died in course of treatment.

It is submitted by learned Senior counsel appearing



for the petitioner that the F.I.R was registered against unknown. The name of the petitioner transpired in course of investigation. The prosecution is mainly relying on the confessional statement made before police. No incriminating article has been recovered as a result of the said confession. The petitioner is in custody since 13.4.2022 and charge-sheet has been submitted in the case.

The application for bail is opposed by learned A.P.P for the State who submits that the petitioner was taken into custody and on the basis of his disclosure, the looted motorcycle was recovered from the house of one Purushottam Kumar Rai. It is further submitted that as per the said confessional statement, co-accused Abhinav Jha @ Virat is said to have fired from the pistol while Abhisek @ Rahul and Akbar assaulted with knife.

Having heard learned counsel for the parties and taking into consideration the nature of material that has transpired in course of investigation, even as per the confessional statement made before police, allegation of firing from the pistol is on co-accused Abhinav Jha @ Virat and assault with knife is on Abhishek @ Rahul and Akbar, and not the petitioner herein. The petitioner being in custody for 9 months since 13.4.2022 and charge-sheet having been submitted



in the case, the petitioner is directed to be enlarged on bail in connection with Simri P.S. Case no. 119 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 Additional Chief Judicial Magistrate IV, Darbhanga.

(Partha Sarthy, J)

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