

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52555 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- BASOPATTI District- Madhubani

UDIT THAKUR @ UDIT KUMAR THAKUR SON OF MAHENDRA
THAKUR R/O-HATHAPUR, PARSA, P.S.-BASOPATTI, DISTT.-
MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Basopatti P.S. Case No.09 of 2023 instituted under Sections 323, 341, 307, 504, 34 of the IPC and 27 of the Arms Act lodged on 09.01.2023 by the informant Suman Kumar Yadav.

As per the prosecution story, the accused persons were consuming liquor and were shouting, upon opposition, not only they abused, on the order of Ram Babu Thakur, this petitioner opened fire causing injuries in his hand/thigh which resulted into his admission in a hospital. Accordingly, the FIR.

It is the case of the petitioner that there is case and counter case, the petitioner's brother was also assaulted and shifted to Sadar Hospital, has been in custody since 26.06.2023,



do not have criminal antecedent and without accepting the allegations and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned court to be handed over to the informant after checking the credentials.

Learned APP opposes the prayer for bail.

Though there is allegation against the petitioner, considering the fact that there is case and counter case, the petitioner do not have criminal history and is in custody since 26.06.2023, this Court is inclined to grant him privilege of bail subject to the payment of Rs.10,000/-each as undertaken above by the learned counsel for the petitioner.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Basopatti P.S. Case No.09 of 2023 to the satisfaction of learned ACJM,Vth, Madhubani , subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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