

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55086 of 2022

Arising Out of PS. Case No.-382 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Jitendra Kumar @ Golu Thakur Son of Ram Ekwel Thakur @ Bukhari
Resident of Village - Arara, P.S.- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K. Anjana, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 05-04-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner seeks regular bail in connection with
Muzaffarpur Sadar P.S. Case No. 382 of 2020 dated 11.07.2020
registered for the offences punishable under Sections 385, 387,
506/120(B)/34 of the Indian Penal Code and Section 27 of
Arms Act.

As per the prosecution, the informant alleged that this
petitioner along with other co-accused persons and 4-5 unknown
persons gathered outside his house and made indiscriminate
firing asking him to withdraw the cases earlier lodged by the
informant otherwise be ready to face dire consequences.

The main submissions advanced by the learned



counsel for the petitioner are that though the petitioner has criminal antecedent of several cases but he is on bail in all the said cases, in between the petitioner and the informant several cases are running and informant is also a veteran criminal and against him there are five criminal cases and at present he is in jail and co-accused persons namely, Hemant Kumar, and Mithlesh Singh @ Mithilesh Singh have been granted regular bail by different benches of this court vide orders passed in Cr. Misc. No. 23828 of 2021, Cr. Misc. No. 34324 of 2021 respectively and co-accused Govind Roy @ Govind Kumar has been granted anticipatory bail vide order passed in Cr. Misc. No. 33492 of 2021 by a co-ordinate bench of this court and out of them co-accused Govind Roy is named in the FIR like the petitioner and the allegation made against him is similar to the allegation of the petitioner, in fact the case of this petitioner stands on better footing from named co-accused Govind Roy, who has been granted anticipatory bail by a co-ordinate bench of this court and there are criminal antecedents of sixteen cases against the co-accused Mithlesh Singh @ Mithilesh Singh who is also on bail. Further submission is that the petitioner has been languishing in jail since 08.02.2021 and the charges have been framed against him on 25.02.2023 and thereafter no prosecution



witness has been examined till date.

Learned APP appearing for the State has opposed the bail prayer.

Having considered the above submissions and mainly the privilege of bail having been granted to similarly situated co-accused persons mentioned above and also the fact that in between the petitioner and the informant several criminal cases are running and the informant is also stated to be a veteran criminal as per statement made in paragraph no. 9 of the petition and also the fact that petitioner's trial has started, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Muzaffarpur Sadar P.S. Case No. 382 of 2020.

(Shailendra Singh, J)

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