

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70225 of 2022

Arising Out of PS. Case No.-680 Year-2021 Thana- KHAJANCHI HAT District- Purnia

RAVI THAKUR S/O Binod Thakur R/O Village- Janta Chowk Bibiganj, P.S-
K. Hat, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 302, 120(B)/34 of the Indian Penal Code and under Section 27 of the Arms Act.

According to prosecution case, the brother of the informant is said to have been killed by inflicting firearm injuries on his head, neck and abdomen by the petitioner and the other co-accused persons.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case on the basis of suspicion. He further submits that the informant is not the eye-witness of the alleged occurrence



and it appears from the F.I.R. that the allegation against the petitioner is general and omnibus in nature and there is no specific allegation of assault or firing attributed against the petitioner. He further submits that the deceased is said to be a veteran criminal having ten criminal cases and on account of that fact there might be his enemies who killed him but the petitioner has no role to play in the entire case. He further submits that on the basis of C.D.R location the petitioner was present at the place of occurrence. He further submits that similarly situated, co-accused persons, namely, Kunal Jha has been granted bail by a co-ordinate Bench of this Court vide order dated 16.08.2022 passed in Cr. Misc. No. 9690 of 2022, Raju Ray has been granted bail vide order dated 05.09.2022 passed in Cr. Misc. No. 8394 of 2022, Amarjit Ray has been granted bail vide order dated 05.09.2022 passed in Cr.Misc. No. 8514 of 2022, Mangni Devi has been granted bail vide order dated 05.09.2022 passed in Cr. Misc. No. 13458 of 2022 and Chhotu Yadav has been granted bail vide order dated 19.09.2022 passed in Cr. Misc. No. 19307 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 17.08.2022.

The learned Additional Public Prosecutor for the State



has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries seven criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Supplementary K.Hat (Madhubani) P.S. Case No. 680 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the



petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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