

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71161 of 2022

Arising Out of PS. Case No.-152 Year-2020 Thana- SIMRI District- Darbhanga

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Karan Thakur @ Karan Sharma Son Of Asharfi Thakur R/O Village-
Bagawasa Jajuara, P.S.- Katra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baidya Nath Prasad, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Simri P.S.
Case No. 152 of 2020 registered for the offences punishable
under Sections 399, 402, 412, 120(b) of the Indian Penal Code
and 25(1-A), 25(1-AA), 26(i)/35 of the Arms Act.

The case relates to recovery of firearms and
ammunition from the possession of accused persons.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather recovery has been
made from co-accused persons namely Jai Shankar Bhagat,



Nand Lal Thakur and Amir Jaffar and the petitioner was not arrested at the spot. He further submits that the name of the petitioner has been transpired on the basis of confessional statement of co-accused persons namely Jai Shankar Bhagat and Nand Lal Thakur. He further submits that co-accused person namely Jai Shankar Bhagat has been granted bail by a Coordinate Bench of this Court vide order dated 19.07.2021 passed in Cr. Misc. No. 13116 of 2021 and another co-accused person namely Nand Lal Thakur has been granted bail by a Coordinate Bench of this Court vide order dated 22.09.2021 passed in Cr. Misc. No. 16204 of 2022 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 16.11.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in both the cases.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Darbhanga in connection with Simri
P.S. Case No. 152 of 2020, with 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 witness, 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 antecedents, 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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