

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3169 of 2023

Arising Out of PS. Case No.-325 Year-2021 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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ASHU THAKUR SON OF MANOJ KUMAR THAKUR R/O VILLAGE-
LAKHANPUR, P.S.- KATRA, DISTRICTE- MUZAFFARUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Narain Mallik
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Lalit Narayan Mithila P.S. Case No. 325 of
2021, registered for the offences punishable under Sections
25(1-b)a, 26/35 of the Arms Act.

As per allegation, police got information that near
Kankali temple, four criminals, after committing some serious
offence, were fleeing away and one of them has become
successful in fleeing away, whereas three miscreants were
apprehended by the public. The apprehended persons were
badly assaulted by the public and were in a pool of blood. One
miscreant disclosed his name as Abhishek Raj and also



disclosed the name of his associates as Abhijeet Srivastava. He also disclosed the name of the petitioner, who fled away from the scene of occurrence. Co-accused Pulkit Rai died during course of treatment.

The learned counsel for the petitioner has submitted that the petitioner was not arrested at the spot. Nothing was recovered from his possession and on the basis of same occurrence, two cases were registered. The first case is registered in Lalit Narayan University P.S. Case. 324 of 2021, vide order dated 25.01.2023 under section 34, 302 and 307 of the IPC and Section 27 of the Arms Act and the present case is registered under the provisions of arms act. He has submitted further that Abhijeet Srivastava, who was arrested at the spot, has been granted bail in Lalit Narayan University vide order dated 25.01.2023 in Cr. Misc. no. 29535 of 2022.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Darbhanga in connection with Lalit Narayan Mithila P.S. Case No. 325 of 2021, subject to the following conditions:-



(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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