

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9348 of 2024

Arising Out of PS. Case No.-208 Year-2023 Thana- KAMTAUL District- Darbhanga

Shivam Kumar S/o Raj Kumar Thakur R/o Vill - Ratanpur, P.S. - Kamtaul,
Dist. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Smiti Bharti, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kamtaul P.S. Case No. 208 of 2023, lodged on 20.09.2023
under Sections 399, 402, 307, 120(B), 201 of the Indian Penal
Code read with section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against five named accused persons including the present
petitioner against whom there is an allegation that they were
collected with a view to commit *dacoity*, but in the meantime,
firing took place and people were fled away. Only petitioner was
apprehended and on his statement, FIR has been lodged.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel



also submits that the from the contents of the FIR, it is very much clear that entire event has been disclosed by the petitioner himself before the police. But, police has instead of appreciating the petitioner, has made him accused in this case stating that he is involved with the criminals.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is clean and he is in custody since 21.09.2023. Counsel also submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above considering the antecedent of the petitioner, **let the petitioner above named be granted bail,** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Kamtaul P.S. Case No. 208 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J.)

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