

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13260 of 2024

Arising Out of PS. Case No.-171 Year-2019 Thana- KATRA District- Muzaffarpur

Aashu Thakur @ Lalu Thakur Son of Manish Kumar Thakur R/o vill -
Yajuara (Yajuar), P.s. - Katra, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad, Adv.

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has earlier moved before this Court with a prayer for anticipatory bail which was dismissed vide order dated 13.10.2020 passed in Cr. Misc. No. 16618 of 2020.

3. The petitioner seeks bail in connection with Katra P.S. Case No. 171 of 2019 instituted for the offences under Sections 147, 148, 149, 447, 448, 341, 323, 307, 379, 380, 427, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per prosecution case, the accused Raushan Thakur and four other accused persons along with 18-20 unknown miscreants armed with deadly weapons entered into



the house of the Informant and assaulted the daughter-in-law of the Informant with the butt of the gun and also threw out eight months baby in a ditch filled with water. They also took away cash of Rs. 1 lac and ornaments of gold and silver.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to dirty village politics. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence or with the co-accused persons. The petitioner was neither arrested on the spot nor was seen fleeing away from the spot by anyone. The petitioner has seven criminal antecedents as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 02.08.2023. Charge-sheet has been submitted in this case.

6. Learned counsel for the petitioner again submits that the co-accused Sawan Thakur has been granted bail by a Co-ordinate Bench of this Court vide order dated 20.12.2019 passed in Cr. Misc. No. 84874 of 2019.

7. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of bail to the petitioner.

8. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Katra P.S. Case No. 171 of 2019, subject to the following conditions;

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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