

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29619 of 2024

Arising Out of PS. Case No.-100 Year-2023 Thana- GARHI District- Jamui

Mithilesh Thakur son of Santdev Thakur Resident of Village- Mahulia Tar,
P.S.- Kowakol, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-04-2024 1. Heard learned counsel for the petitioner and learned

A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.T. No. 95 of 2024 arising out of Garhi P.S. Case No. 100 of 2023 dated 14.11.2023 registered for the offences punishable u/ss 353, 302, 307, 332, 333, 224, 504, 506, 120(B)/34 of the Indian Penal Code.

3. As per the prosecution case, the police got information about illegal transportation of sand from Chananwar kiul river, thereafter the police along with police personnel reached near kiul river about 7:30 am and found that one tractor is running on the road, police directed the driver to stop but he tried to run away upon which police followed and



arrested the driver along with one other person. On being asked, they disclosed their name as Krishna Das, Mithilesh Thakur and Pawan Das. In the meantime, truck's driver, namely, Krishna Das started the said tractor and ran over the SI Prabhat Ranjan and Home Guard Rajesh Kumar Sah who were brought to the Sadar Hospital Jamui where SI Prabhat Ranjan was declared dead. Thereafter, the police lodged FIR against the named accused person along with other 4-5 unknown persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner and he has no concern with the alleged offence. There is specific allegation on the co-accused Krishna Das. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and there is no specific overt act against the petitioner as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Jamui in connection with S.T. No. 95 of 2024 arising out of Garhi P.S. Case No. 100 of 2023, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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