

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45919 of 2024

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

Anand Kumar @ Anand Thakur S/o Late Ranjeet Thakur @ Ranjit Thakur
R/o vill - Brahampur, P.s .- Kamtaul, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13

For the Opposite Party/s: Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-07-2024 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. 208/2023 lodged on 20.09.2023 under
Section 399/402/307/120B,201 of the Indian Penal Code and 27
of the Arms Act.

3. As per the prosecution case, F.I.R. has been lodged
against five unknown accused persons to whom there is an alle-
gation that they have gathered to commit dacoity and in the
meantime firing took place in which one person have been in-
jured.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that that the name of the petitioner has been figured



in this case only by conspiracy of the police officials. Counsel further submits that the criminal antecedent of the petitioner is not clean and there are three cases pending against him in which he is on bail. The petitioner is in custody since 15.01.2024. Counsel further submits that some of the accused persons have been granted bail by this Hon'ble Court vide order dated 20.02.2024 passed in Cr. Misc. No. 9348 of 2024.

5. Learned APP for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be granted bail after framing of charge, if the charge is not framed yet and 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. 208/2023 subject to the condition laid down under Section 437(3) of the Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- Kamtaul P.S. Case No. 22/2018
- Kamtaul P.S. Case No. 41/2019
- Kamtaul P.S. Case No. 06/2020

(Dr. Anshuman, J)

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