

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52520 of 2024

Arising Out of PS. Case No.-338 Year-2023 Thana- CHAKIA District- East Champaran

Rahul Thakur @ Rahul Kumar Son Of Mantu Thakur Resident Of Village -
Bashghat, P.S. - Chakiya, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 18-09-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in Chakia P.S. Case No. 338 of 2023 registered for the offences punishable under Sections 324/326/307/34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per prosecution, FIR has been lodged against unknown accused persons. Allegation is that they have fired on the shop of the informant due to which his brother sustained gun shot injury.

4. Learned counsel for the petitioner submits that the name of the petitioner has figured in this case by virtue of confessional statement of co-accused. He submits that the said confessional statement could not be brought on record by the



prosecution at the time of consideration of the anticipatory bail by the Sessions Court and in that view of the matter the Sessions Court had disposed of his anticipatory bail with liberty that he may renew his prayer for anticipatory bail later on. Counsel for the petitioner submits that the only negative aspect in this case is that the antecedent of the petitioner is not clean. There are two criminal cases pending against the petitioner. He submits that in the present case petitioner is absolutely innocent.

5. Learned counsel for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.30,000/- (Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Chakia P.S. Case No.338 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. It is made clear that the trial Court shall accept the bail bond only when petitioner shall satisfy the Court



that in two cases, namely, Chakia P.S.Case No.348 of 2023 and Muzaffarpur G.R.P. Case No.434 of 2023, he is not absconding.

(Dr. Anshuman, J)

Mkr./-

U		T	
---	--	---	--

