

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61180 of 2024

Arising Out of PS. Case No.-101 Year-2017 Thana- BELDOUR District- Khagaria

Umesh Thakur @ Umesh Kumar Thakur, Son of Late Bino Thakur, Resident
of Village - Sakrohar, P.S.- Beldaur, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abdul Mannan Khan, Adv. Mr. Binay Kumar, Adv. Mr. Vivek Raj, Adv. Mr. Kumar Ankit, Adv.
For the Opposite Party/s :		Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-09-2024 1. Heard Mr. Abdul Mannan Khan, learned counsel
for the petitioner and Mr. Madan Kumar, learned APP for the
State.

2. The petitioner apprehends his arrest in connection
with Beldaur P.S. Case No. 101 of 2017 dated 24.05.2017
registered for the offences punishable under sections 341, 307,
504 and 506 read with section 34 of the Indian Penal Code and
section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that this
is the second attempt of the petitioner to get the relief of
anticipatory bail as his earlier bail prayer was rejected by then
coordinate bench of this Court vide order dated 21.09.2017



passed in Cr. Misc. No. 46700/2017 and the petitioner has again come before this Court for the same relief. Learned counsel further submits that the allegation of firing upon the informant's brother is against the petitioner and co-accused Gulten Thakur but the informant, who himself claimed to have seen the alleged occurrence, remained unaware of the fact that who is the author of the said firing.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Heard both the sides and perused the FIR and other relevant materials. The petitioner had already approached this Court by way of Cr. Misc. No. 46700/2017 for the same relief and in the present petition, he has not shown any fresh ground to make him entitle to the relief of anticipatory bail. Furthermore, the petitioner has evaded his appearance before the investigating agency for a period of more than six years. Considering these facts as well as the nature of allegation appearing against this petitioner, this Court is not inclined to accept his present prayer. Accordingly, the prayer of the petitioner stands rejected.

6. However, considering the fact that co-accused Gulten Thakur carrying similar nature of allegation is on bail, granted by this Court vide order dated 22.09.2017 passed in Cr.



Misc. No. 46365/2017, the petitioner is given a liberty to surrender before the trial court within four weeks from the date of this order, if he avails this liberty then the learned trial court shall decide his regular bail prayer without being prejudiced with this order, according to merit.

(Shailendra Singh, J)

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