

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86099 of 2023

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

Raushan Thakur S/o Lakshmeshwar Thakur R/o Village-Jajuar,P.S.-Katra,
Distt.-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 20-03-2024 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 rejected vide order dated 15.10.2020 passed in Cr. Misc. No. 16618 of 2020.

3. The petitioner seeks bail in connection with S. Tr. No. 554 of 2023 arising out of Katra P.S. Case No. 171 of 2019 instituted for the offences under Sections 147, 148, 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, accused Raushan Thakur/petitioner 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. There is no specific and direct allegation against the petitioner rather only general and omnibus allegation has been made. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has fourteen criminal antecedents as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 14.03.2023. Charge-sheet has been submitted in this case.

6. Learned counsel for the petitioner again submits that the co-accused Aashu Thakur @ Lalu Thakur has been granted bail by a Co-ordinate Bench of this Court vide order dated 04.03.2024 passed in Cr. Misc. No. 13260 of 2024. He further submits that co-accused Sawan Thakur and Manish Kumar have also been granted bail by a Co-ordinate Bench of this Court vide orders dated 20.12.2019 and 27.11.2020 passed in Cr. Misc. Nos. 84874 of 2019 and 28241 of 2020 respectively.



7. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner coupled with the fact that the prayer for bail being based on parity, 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 S. Tr. No. 554 of 2023 arising out of 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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