

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34002 of 2025

Arising Out of PS. Case No.-403 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Chunnu Thakur @ Rakesh Kumar S/O- Late Kailash Thakur Resident of
Village- Gannipur, P.S.- Kazimohammadpur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar, Adv.
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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

ORAL ORDER

2 23-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. Learned counsel for the petitioner has filed
supplementary affidavit on behalf of the petitioner which is kept
on the record.

3. The petitioner has preferred this application for
grant of regular bail in connection with Sadar (East) P.S. Case
No. 403 of 2019 dated 12.06.2019 registered for the offences
punishable u/ss 414, 120B of the Indian Penal Code and
Sections 25(1-B)(a), 26(ii) and 35 of the Arms Act.

4. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have involved in illegal
business of illicit liquor in rented house of the co-accused, Rajiv



Kumar. On that information, police reached there and apprehended seven persons and recovered one pistol loaded with two cartridges and a empty magazine from the possession of the co-accused, Rajiv Kumar. One pistol loaded with cartridge, live cartridges and Rs. 8,79,600/- in cash, diary, 13 mobiles phones, one motorcycle and one car were also recovered from the spot. The apprehended persons disclosed the name of the petitioner as one of his associate.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The apprehended person disclosed the name of the petitioner. The petitioner has been made accused in this case merely on suspicion. The petitioner is neither the owner nor the driver of the seized motorcycle as well as the seized car. The petitioner has no concern with the alleged recovery. The petitioner was not present at the time of the alleged offence. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person namely, Rajeev Kumar @ Jublee @ Jugnu has already been granted bail by a Coordinate Bench of this court vide order dated 28.02.2020 passed in Cr. Misc. No. 10661/2020. The petitioner has 33 criminal antecedents in which he is on bail in 31 cases as stated in para 2



of the supplementary affidavit filed on behalf of the petitioner.

The petitioner is in custody since 27.04.2024.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the anticipatory bail application of the petitioner was earlier rejected by a Coordinate Bench of this court vide order dated 06.07.2023 passed in Cr. Misc. No. 17659/2023.

7. Considering the aforesaid facts and circumstances of the case 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, Muzaffarpur (East) in connection with Sadar (East) P.S. Case No. 403 of 2019 with the conditions ;

(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 be cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to



move for cancellation of his bail bonds.

(iii) The petitioner is directed to mark his attendance before the Officer-in-Charge of the concerned police station at 10:00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasions, the present privilege of bail will stand cancelled by the concerned Court below.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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