

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68904 of 2024

Arising Out of PS. Case No.-295 Year-2023 Thana- KATRA District- Muzaffarpur

Kundan Kumar Thakur @ Kundan Thakur Son of Shilendra Kumara Thakur
R/O Vill.- Ward no.2, Jajuar Madhy, P.S.- Katra, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aman Kumar S/O-Hemu Thakur , R/O- Village-Kajuar Madhy, P.S.-Katra, Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 10-01-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 326,307, 447, 448, 452, 120(B) of the I.P.C. & Sections 25(1-B)a,27 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case. It is further submitted that from perusal of allegation as alleged in the FIR, it would manifest that Satya Prakash Thakur @ Harsh Thakur is alleged to have fired causing gunshot injury on the brother of the informant and Ajit Kumar @ Ajit Mandal is alleged to have



assaulted the family members of the informant.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name transpired in the confessional statement of Abhishek Kumar, who had also instituted Katra P.S. Case No.296/2023. It is further submitted that petitioner and the informant are co-villagers, hence had the petitioner been involved in the occurrence, in that event he would have been named in the FIR. It is next submitted that the Court on the said issue had issued notice on the informant by an order dated 21-9-2024, it is next submitted that from perusal of the office report dated 9-1-2025, it would manifest that the notice has been received by the father of the OP No. 2, but then no one appears on behalf of the informant to contest the case, which amply demonstrates the contention of the petitioner that he is a co-villager and was known to the informant and his family members stands corroborated. It is also submitted that petitioner is not alleged to have fired and he came to be implicated at the instance of Abhishek Kumar, with whom he is on an inimical terms, who had earlier instituted the aforesaid case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Katra P.S. Case No.295/2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father, Shilendra Kumara Thakur.

(Satyavrat Verma, J)

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