

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76815 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- CHHAURADANO District- East
Champaran

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Jai Prakash Thakur @ Jay Prakash Thakur S/o Rampal Thakur Resident of
Village - Mahuawa, P.S. - Mahuawa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar
For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-01-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf of
the informant.
2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 326, 307, 120(B) of the Indian
Penal Code and Section 27 of the Arms Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases but the cases were instituted
in the year 2013-2014 but the order impugned incorrectly records
that year of Chhauradano (Mahuwa) P.S. Case No.125/2013 as
125/2023. The learned counsel next submits that from perusal of
the allegation as alleged in the F.I.R., it would manifest that the
informant alleges that while informant along with his staff Karma
Kumar were sitting at his shop, when four miscreants on two



motorcycles came and opened fire, on account of which, informant sustained three bullet injuries on his back. It is further alleged that on account of darkness, the informant could not identify the miscreants, further based on suspicion alleges that there was an enmity with the petitioner and other named accused persons, hence the occurrence might have been committed at their instance.

4. The learned counsel for the petitioner submits that petitioner and the informant are agnates and they are having dispute relating to property and even proceeding under section 144 Cr.P.C. was initiated in between them. It is further submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant himself alleges that he did not recognize the persons who fired but then based on suspicion alleges that the occurrence might have been committed at the instance of the named accused persons with whom the informant is having enmity. It is next submitted that petitioner has been implicated in the instant case only with a view to coerce him into submission to settle the dispute relating to property. It is also submitted that petitioner is in custody since 22.08.2024.

5. Learned A.P.P. and the learned counsel appearing on behalf of the informant opposes the prayer for bail of the petitioner and submits that during the course of investigation, Dipesh and Bhajju Thakur were arrested who are alleged to have fired at the



informant, on which, the learned counsel appearing on behalf of the petitioner submits that Dipesh and Bhajju in their confessional statement have not even whispered against the petitioner. It is also submitted that petitioner works as a carpenter at Chandigarh.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten 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 Chhauradano (Mahuwa) P.S. Case No.84/2024, G.R. No.300/2024.

7. However, if the learned trial court comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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