

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89251 of 2024

Arising Out of PS. Case No.-399 Year-2024 Thana- RAJNAGAR District- Madhubani

Sunil Kumar @ Sunil Thakur, Male, aged about 47 years, S/O Ghanshyam Thakur, R/O Panchvati Colony, Sheikh Toli Road, P.S- Raj Nagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Rajnagar PS Case No.399 of 2024 dated 16.10.2024, instituted under Sections 126(2), 308(3), 303(2), 351(2), 352, 3(5), 115(2) of the *Bharatiya Nyaya Sanhita*, 2023 and Section 25 of the Arms Act.

3. The allegation against the petitioner is that on the alleged date of occurrence he along with unknown persons came brandished pistol and other weapons attacked, abused and misbehaved with the informant. The accused persons also tried to kidnap her son and pointed pistol on her husband. They demanded rupees one lakh as ransom.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is also submitted that allegation against all the accused is general and omnibus. There is no specific allegation against the petitioner. It is further submitted that a proceeding under Section 107 Cr.P.C. was initiated against the informant and her husband upon the application filed by the local people of the area. The petitioner is the neighbour of the informant and due to some dispute with regard to drainage the petitioner has been implicated in this case. Further submission is that during investigation CCTV footage of the occurrence was produced by the informant before the police in which seven persons were identified by the police, but the petitioner has not been found in the CCTV footage. Nothing has come in the case diary to connect the petitioner with the crime. Lastly, it is submitted that the petitioner has one criminal antecedent.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st, Madhubani, in Rajnagar PS Case No.399 of 2024, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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