

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2879 of 2025

Arising Out of PS. Case No.-102 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

Munna Thakur @ Munna Kumar Thakur S/O Chandrika Thakur Resident of
Village- Chiutaha, P.S.- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Prasad Gupta, Advocate

For the Opposite Party/s : Ms.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-02-2025 Heard Mr.Surendra Prasad Gupta, learned counsel
for the petitioner and Ms.Nirmala Kumari, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Baikunthpur P.S. Case No.102 of 2019, dated 19.05.2019 registered for the offences punishable under Sections 341,323,324,307,379,354(B)/34 of IPC.

3. According to prosecution case, co-accused Anil Thakur alongwith his two brothers intercepted the informant who was with her sister-in-law and daughter and attacked them by means of knife and lathi. It is further alleged that the accused persons have snatched gold chain and Rs. 5,000/- from them.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely



been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that from a bare perusal of the FIR it appears that although the petitioner is named in the FIR but there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and co-accused person, namely, Sona Thakur @ Sona Kumar Thakur, against whom the similar allegation, has been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 24.01.2020 passed in Cr. Misc. No.72782 of 2019 and another co-accused person, namely, Anil Thakur has also been granted privilege of anticipatory bail by this Court vide order dated 08.01.2025 passed in Cr. Misc. No.88703 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner and similarly situated co-accused persons have been granted privilege of anticipatory bail by different Coordinate Benches of this Hon'ble Court, let



the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Gopalganj in connection with Baikunthpur P.S. Case No.102 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of Cr.P.C. and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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