

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1082 of 2025

Arising Out of PS. Case No.-142 Year-2023 Thana- PATAHI District- East Champaran

Shravan Thakur @ Shravan Kumar, aged about 24 years, Gender-Male, Son of Pulendra Thakur, Resident of Village - Gujaraul, P.S. - Patahi, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Madhurendra Kumar, Advocate
For the Opposite Party : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 959 of 2024, arising out of Patahi P.S. Case No. 142 of 2023 dated 06.05.2023 registered for the offences punishable under Sections 302, 201 read with Section 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, on 05.05.2023 at about 7.30 P.M., the co-accused Chandan Sah, Purushottam Sah, Abhimanyu Singh, Umesh Sah, Bishundeo Singh, Banshi Lal Sah and five other accused persons armed with weapons came and the co-accused Chhunu Sah told the accused persons to kidnap the informant's son and kill him, on which, the accused



persons, kidnapped the informant's son, namely, Satyam Kumar @ Jhunnu Singh, when he was coming from Gujraul Bazar. The informant and Pawan Kumar Singh were also coming from Regpur Bazzar and they were behind Satyam Kumar @ Jhunnu Singh and they saw the alleged occurrence. The informant and Pawan Kumar Singh cried and narrated the entire story to the villagers and searched for the whole night and they also went to the houses of the accused persons but they were not present at their houses. It is further alleged that the villagers said that the informant's son was killed and threw his dead body in the maize field. Thereafter, the informant and others went there and saw the dead body of her son with mark of injuries on his body and there were firearm injuries on his chest. It is further alleged that few days back, the co-accused Dhananjay Sah had threatened the informant to kill her and her entire family members.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner is not named in the F.I.R. His name has surfaced in the present case during the course of investigation on the basis of the confessional statement of the co-accused Amit Sahani which has got no evidentiary value in the eyes of law. It is further



submitted that from perusal of the F.I.R., it appears that the informant who claimed to be an eye witness to the alleged occurrence had specifically alleged that on the order of the co-accused Chhunu Sah, the F.I.R. named accused persons have kidnapped the deceased. There is no eye witness to the alleged occurrence for killing the deceased. It is further submitted that as per the F.I.R., the co-accused Dhananjay Sah had threatened the informant to kill her and her entire family members. The petitioner has no concern with the alleged offence. No incriminating article has been recovered from his possession. It is further submitted that the other co-accused person, namely, Abhimanu Singh @ Abhimanu Kumar Singh, has already been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 47953 of 2024 under order dated 05.09.2024 and the co-accused person, namely, Aman Singh, has also already been granted regular bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 56396 of 2024 under order dated 22.11.2024, annexed as Annexure-2 to the present bail petition. The petitioner has two criminal antecedents as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 07.03.2024.

5. Learned A.P.P. for the State has vehemently opposed



the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, 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 the learned Additional Sessions Judge-X, East Champaran, Motihari in connection with Sessions Trial No. 959 of 2024, arising out of Patahi P.S. Case No. 142 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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