

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90048 of 2024

Arising Out of PS. Case No.-18 Year-2019 Thana- KALYANPUR District- Samastipur

Prabhat Kumar @ Prabhat Kumar Thakur @ Bablu Thakur S/O Late Nand
Kumar Thakur R/O Vill.- Janardanpur, P.S.- Kalyanpur, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Kalyanpur P.S. Case No. 18 of 2019, registered for the alleged offences under Sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, the petitioner and two other co-accused persons took out pistols and indiscriminately fired upon the husband of the informant. The occurrence took place in the background of land dispute with co-accused Munna Thakur. The husband of the informant succumbed to his injuries in course of treatment.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case. Learned counsel further submits that the deceased was himself a veteran criminal and several criminal cases had been pending against him. The petitioner was neither present at the place of occurrence nor involved in the alleged occurrence. Background of land dispute is admitted. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail. Learned APP submits that there is specific allegation against the petitioner that he took out pistol and fired upon the husband of the informant, who died due to firearm injuries.

06. Having regard to the facts and circumstances and in the light of specific allegation against the petitioner, I do not think it is a fit case for grant of anticipatory bail. Hence, prayer for anticipatory bail is hereby **rejected**.

(Arun Kumar Jha, J)

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