

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.235 of 2025

Arising Out of PS. Case No.-12 Year-2010 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Khobhari Thakur S/O Late Jokhan Thakur Village- Khabra, P.S.- Sadar,
District- Muzaffarpur. At present Village- Kafen P.S.- Garhan, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brahmaputra Singh Ishu, Advocate
Mr. Poonam Kumari, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 09-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with S.Tr.
No. 390 of 2010 arising out of Muzaffarpur Sadar P.S. Case No.
12 of 2010 dated 19.01.2010, instituted for the offence
punishable under Sections 302, 380, 120(B) of the Indian Penal
Code and Section 27 of the Arms Act.

3. The allegation against the petitioner is that, the
petitioner along with other accused persons tried to commit loot
in the house of the informant on the gun point and killed
informant's husband by shooting him.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner has been made accused in this case only on the basis of confessional statement of co-accused Bindeshwar Paswan who has been granted bail vide order dated 26.10.2010 passed in Criminal Miscellaneous No. 29469 of 2010. It is next submitted that a supplementary charge-sheet bearing charge-sheet no. 1022 of 2024 dated 30.09.2024 has been filed against the petitioner and other accused persons. It is further stated that nothing has been recovered either from the conscious possession or from the house of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 10.09.2024, he has three criminal cases against him and charge-sheet has been submitted in the case.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let 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 13th Additional Sessions Judge, Muzaffarpur in S.Tr. No. 390 of 2010 arising out of



Muzaffarpur Sadar P.S. Case No. 12 of 2010, subject to the following conditions:-

1. That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will undertake to furnish information to the Court about any change in address of the petitioner.

2. That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.

3. That the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

4. That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

5. That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



will be liable to be cancelled.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

