

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42520 of 2024**

Arising Out of PS. Case No.-773 Year-2023 Thana- GOPALPUR District- Patna

Rajkumar Thakur @ Raj Karan Thakur Son of Late Laxmi Thakur Resident
of Village- Bhelwara, P.S- Gopalpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Singh

For the Opposite Party/s : Mr.Ganesh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

- 2 03-09-2024 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.
3. Learned counsel for the petitioner submits that petitioner is not named in the FIR. It is further submitted that similarly situated co-accused Vishal Kumar had moved this court seeking regular bail by filing Cr. Misc No. 49176 of 2024 and this court, after hearing the learned counsel for the parties and after taking note of the case, was pleased to grant the privilege of regular bail to Vishal Kumar. It is further submitted that petitioner also, like Vishal Kumar, is not named in the FIR,



but then his name transpired in the confessional statement of Vishal. It is also submitted that Vishal had been given the privilege of regular bail, as such, no useful purpose would be served by sending the petitioner to jail. It is further submitted that petitioner will not abscond rather will cooperate in the investigation.

4. The learned APP and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that petitioner is not named in the FIR and his name transpired based on the confessional statement of Vishal who was granted the privilege of regular bail by an order dated 3-9-2024 in Cr. Misc No. 49176 of 2024.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gopalpur P.S.



Case No. 773 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

7. Let a copy of this order be sent to the concerned Police Station through the learned learned Trial Court.

(Satyavrat Verma, J)

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