

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16053 of 2015

Arising Out of PS.Case No. -336 Year- 2010 Thana -TAJPUR District- SAMASTIPUR

=====

1. Manoj Thakur Son of Late Ram Chandra Thakur resident of Village-
Jagdishpur Rani, P.s- Mufassil, District-Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad

For the Opposite Party/s : Mr. Abhay Kumar-I(App)

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 03-09-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Tajpur (Waini) P.S. Case No. 336 of 2010 initially instituted
under Section 307 read with 34 of the Indian Penal Code but
subsequently Section 302 of the Indian Penal Code was also
added.

It is contended that the daughter of the informant
died after five days of the occurrence. During investigation, the
investigating agency of the district police found that the deceased
had caught fire inside her house and the accused persons were
falsely implicated due to enmity existing from before.
Subsequently, at the behest of the informant, the present case was
taken over by the CID and an effort was made to develop the
prosecution story during investigation by the CID. However,

ultimately, after thorough investigation, final form was submitted against the petitioner on 22.07.2014 and a separate report was submitted against the informant for taking action under Sections 182 and 211 of the Indian Penal Code for launching a false prosecution.

Learned counsel for the informant has vehemently opposed the prayer for bail. He has submitted that the police did not investigate the case in a fair and proper manner and due to availability of materials on record the Magistrate differed with the police report and took cognizance.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Samastipur in connection with Tajpur (Waini) P.S. Case No. 336 of 2010, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

Pradeep/-

(Ashwani Kumar Singh, J)

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