

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4038 of 2017

Arising Out of PS.Case No. -266 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

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Abhay Kumar Thakur son of Bajrangi Thakur, R/o village- Juneda, P.S.-
Motipur, District-Muzaffarpur Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar

For the Opposite Party/s : Mr. Sri Gopesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 06-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Motipur P.S.
Case No. 266 of 2015 registered for the offences punishable under
Sections 498A, 304(B)/34 of the Indian Penal Code.

The informant/complainant who is the maternal grandfather
performed the marriage of his grand-daughter Arti Devi with the
petitioner on 08.03.2014 and after 3-4 months one motorcycle and cash
of Rs. 50,000/- was being demanded, due to non-fulfillment, Arti Devi
was being tortured and assaulted and in the month of March, 2015 Arti
Devi was killed and her dead body was also cremated.

Submission is of false implication and that on the basis of
complaint petition this case has been filed. Later on the informant after
knowing the reality has filed compromise petition also which is
mentioned in the impugned order itself. The petitioner is suffering in
custody since 24.10.2016, there was cordial relation between the



petitioner and his wife, his wife died as she was suffering from epilepsy. The mother of the deceased has not filed any case rather at the instance of enemies the maternal grandfather filed this case who later on filed compromise petition also.

Learned APP submits that now the informant is retracting from his earlier version.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., West Muzaffarpur in connection with Motipur P.S. Case No. 266 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

avin/-

(Jitendra Mohan Sharma, J)

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