

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30937 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -MOTIPUR District- MUZAFFARPUR

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Sunil Thakur Son of Bachcha Thakur Resident of Village- Damodarpur,
P.S. Pipra, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 28-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
14.02.2017 in connection with Motipur P.S. Case No. 37 of 2017
for offences punishable under Sections 302, 201/34 of the Indian
Penal Code.

The prosecution case, as lodged by the Chaukidar of the
concerned police station, is that he found a dead body of eight year
old girl tied in a bag and blood was oozing out from nose and
there was also sign of rope on the neck. Later on, dead body of
mother of the girl was also recovered during the course of
investigation kept on a different place.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case as Rajiv Kumar Singh the husband of the deceased Sheela Devi has confessed before the police about his involvement which has no evidentiary value in the eye of law. Just because he is a Nandosi of the victim lady he has been falsely implicated. He submits that no one has seen the occurrence and it is only on the basis of extra judicial confessional statement of Rajeshwar Singh who is the family member of the deceased that has been made accused. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner who has separate home and lives separately at a different place from the house of the said Rajiv Kumar Singh and the deceased Sheela Devi.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, West Muzaffarpur in



connection with Motipur P.S. Case No. 37 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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