

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49512 of 2017

Arising Out of PS.Case No. -56 Year- 2017 Thana -SIMRIBAZAR District- DARBHANGA

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Rakesh Kumar Thakur, S/o Arun Kumar Thakur, R/o Village- Chauri, P.S.- Sakri, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Simri P.S. Case No. 56 of 2017, registered for the offences punishable under Sections 302/201 of the Indian Penal Code.

Petitioner is named in the FIR and allegation against him is that he has caused death of deceased.

Submission of learned counsel for the petitioner is that material shows that lady was traceless from 28.5.2017 and her dead body was recovered on 29.5.2017 and thereafter petitioner is named only on the basis of suspicion and it further appears from perusal of the record that petitioner has love affairs with the deceased, which was objected to by her family members and, as such, possibility of her killing by her family members or suicide committed by the deceased cannot be ruled out, specially under



the circumstances and post mortem report does not show any external injury on the person of deceased and he is in custody for five months.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for bail stating that petitioner was arrested on the same day in the night near the place of occurrence while coming from motorcycle and one of the witnesses has stated that petitioner has taken her and thereafter she did not return.

Having heard both sides and in view of facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage.

However, once charge has been framed in this case, learned trial court shall release the petitioner on bail to his own satisfaction, subject to the condition that he will co-operate in trial.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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