

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47990 of 2017

Arising Out of PS.Case No. -77 Year- 2017 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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Jugal Kishore Thakur @ Yugul Kishore Thakur Son of Late Bindeshwar
Thakur, R/o Village- Bhanta Bari, Ward No.13, P.S.- Pupari, District-
Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha
For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-12-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner seeks bail in connection with Patahi P.S.
Case No. 77 of 2017 for offences punishable under Sections
302, 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that her husband Kishori Sah was called by one Anju Devi to
attend the 'Faldan' of her daughter. The informant's husband
went there but did not return. The informant got information
that the dead body of her husband has been recovered and kept
in the police station.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, is the uncle of the said Anju Devi and has been falsely implicated in the aforesaid case. He submits that the informant's husband died an accidental death as the pick van which was carrying Faldan items was taken away by the driver and Khalasi and the said items were recovered where the informant's husband was also there in the pick van. He submits that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 25.05.2017.

However, learned counsel for the informant and learned APP for the State vehemently oppose the prayer for bail stating therein that it was a case of murder and concealment of the dead body in the buses and not an accident.

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 Additional Chief Judicial Magistrate-VIII, East Champaran at Motihari in connection with Patahi P.S. Case No. 77 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close



relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(2) 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)

Devendra/-

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