

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.58499 of 2018**

Arising Out of PS.Case No. -211 Year- 2018 Thana -KANTITHARMAL POWER District -  
MUZAFFARPUR

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MUKESH THAKUR @ MUKESH KUMAR THAKUR, S/o Late  
Bhuneshwar Thakur , R/o Vill.- Dhebhan, P.S.- Kanti, Distt.- Muzaffarpur.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. S. Jamil Akhtar, Advocate.

For the Opposite Party : Mr. Rana Randhir Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      18-09-2018      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 302/34 of the IPC.

The prosecution story, in brief, is that on 16.04.2018  
at 4 .00 P.M. petitioner alongwith three persons came at the house  
of the informant and petitioner called his son and took him into his  
car and went off from there. Later on when his son did not come  
home late night, the informant went out in search of his son. The  
next morning on 17.04.2018 his son was lying injured on road  
side. It seems that his son was brutally beaten by petitioner. The  
injury was tried to be shown of a road accident. He was admitted  
in hospital and after ten days he died.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. It is a case of last seen. The alleged date of occurrence is said to be 16.04.2018 as to when the case was instituted on 02.05.2018. Delay has not been explained by the prosecution. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner. There is no eye witness to the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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 Kanti P.S. Case No. 211 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**