

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2015 of 2019**

Arising Out of PS. Case No.-56 Year-2017 Thana- SIMRI District- Darbhanga

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1. BIMAL THAKUR @ BILTU THAKUR Son of Late Moti Thakur Resident of Village - Phulkahi, P.S. - Raiym, District - Darbhanga.
  2. Lalan Thakur Son of Late Moti Thakur Resident of Village - Phulkahi, P.S. - Raiym, District - Darbhanga.

... .. Appellants

Versus

The State of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Ratanakar Jha

For the Respondent/s : Mr.Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL**

ORAL ORDER

4      08-07-2019                      Heard learned counsel for the appellants and learned  
Spl. PP for the State.

Appellants seek bail in a case registered under  
Sections 302 and 201 of the Indian Penal Code.

Accused Rakesh Kumar Thakur is said to have  
established sexual relation with the minor daughter of the  
informant and when she became pregnant, he committed her  
murder by taking her on motorcycle along with the appellants.

It is submitted by learned counsel for the  
appellants that the appellants have no concern with the aforesaid  
occurrence. They have been falsely implicated in the case



merely because they happen to be maternal uncle of the accused Rakesh Kumar Thakur. There is no allegation of sexual assault against the appellants. There is no eye witness of taking the deceased by the appellants and there is nothing cogent on record indicating the complicity of the appellants in the occurrence. Co-accused Rakesh Kumar Thakur has been enlarged on bail by learned lower court in compliance of the order of this Court after framing of charge. Appellants have no criminal antecedent and have been languishing in custody since 20.04.2019.

Learned Spl. PP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the appellants on bail at this stage.

However, learned Trial Court is directed to enlarge the appellants on bail after framing of charge against them to its own satisfaction, subject to the condition that that they would co-operate in trial.

Accordingly, this appeal is disposed of.

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**(Prakash Chandra Jaiswal, J)**

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