

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39105 of 2019**

Arising Out of PS. Case No.-331 Year-2018 Thana- SAUR BAZAR District- Saharsa

=====

VIJAY THAKUR Son of Darogi Thakur Resident of Village- Hasuliya, P.S.-
Bakhtiyarpur (Kaneriya O.P.), District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Sour Bazar P.S. Case No. 331 of 2018**, instituted for the offence under Section(s) 302, 201, 120B/34 of Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that husband of informant namely Bipin Prasad Yadav (since deceased) had performed second marriage with Kajal Kumari, daughter of co-accused Ramesh Yadav about one year back, but her entire family members were unhappy. Bipin Prasad Yadav used to reside in *Kayasth Tola* with her second wife Kajal Kumari. When deceased Bipin Yadav had come to his village, co-accused Ramesh Yadav and his family members attempted to



kill him but anyhow he could save himself. Earlier also a case was filed at Saharsa Sadar P.S. against co-accused Ramesh Yadav for damaging the Motorcycle of deceased. It is further alleged that on 3.6.2018 informant got information that her husband has been shot dead and his dead body was brought to Sadar Hospital Saharsa. The informant raised suspicion that this petitioner along with other co-accused might have killed her husband.

Counsel for the petitioner submits that only suspicion has been raised against the petitioner in the First Information Report. There is no specific allegation of overt act attributed against the petitioner. In the First Information Report it is alleged that petitioner made conspiracy with family members of second wife of deceased husband. He further submits that besides suspicion, there is nothing against the petitioner.

Petitioner is in custody since 9.1.2019.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released 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



Chief Judicial Magistrate, Saharsa, in connection with **Sour Bazar P.S. Case No. 331 of 2018,** subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

