

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50376 of 2019

Arising Out of PS. Case No.-68 Year-2006 Thana- JHANJHARPUR District- Madhubani

Shushil Thakur @ Shushil Kumar Thakur, aged about 49 years, Gender-Male,
S/O Late Veer Thakur @ Bir Thakur R/O Village- Bharam, Navtol, P.S.-
Bhairavasthan, District- Madhubani.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Jitendra Kumar Giri, Advocate
For the Opposite Party : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-11-2019 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and perused the case

diary.

The petitioner is in custody in connection with
Bhairab Asthan P.S.Case No.68 of 2006 registered for an
offence under Sections 307 and 302/34 of the IPC and Section
27 of the Arms Act.

As per prosecution case, the informant alleges that
this petitioner and other accused persons assaulted the wife of
informant as a result of which, the deceased died during course
of treatment.

It is submitted on behalf of the petitioner that
informant is admittedly not the eye witness to the alleged
occurrence and, moreover she has claimed to identify the
assailants at night without any source of light which is quite
impossible to identify any person. It is also submitted that save
and except suspicion, there is nothing against the petitioner.



Petitioner has clean antecedent, chargesheet has already been submitted and he is in custody since 10.03.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Jhanjharpur, District-Madhubani in connection with Bhairabasthan P.S.Case No.68 of 2006 (Corresponding to G.R.No.651 of 2006) with following conditions:-

(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) If the petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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