

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52521 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- MANIYARI District- Muzaffarpur

SUVINDU THAKUR @ MANTUN THAKUR, aged about 42 years (male),
Son of Late Sudhakar Thakur, Resident of Village - Madhuban, P.S.-
Maniyari, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s A. K. Thakur
Babita Kumari, Advocates
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 04-12-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code.

Allegation against the FIR named accused including
the petitioner is to have killed the son of the informant by
pulling ligature on his neck. It has further been alleged that
even husband of the informant was killed by Mantun Thakur in
the year 2008.

It has been submitted on behalf of the petitioner that he
is innocent and has been falsely implicated in this case. It has
further been submitted that informant is not an eye-witness of
the occurrence and there is no eyewitness where deceased was



found hanging by rope from ceiling. It has further been submitted that even in the postmortem report, except ligature mark over upper part of neck, no other injury was found and it is a case of suicide and not homicide. There is a case and counter case between the parties. Petitioner is in custody since 02.03.2019.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner stating that deceased was murdered and was thereafter hanged by rope to give it a picture of suicide.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Maniyari P.S. Case No. 45 of 2019 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate 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.

(3) If the petitioner tampers 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.

(S. Kumar, J)

Sanjay/-

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