

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7824 of 2020

Arising Out of PS. Case No.-168 Year-2019 Thana- PAHARPUR District- East Champaran

Rajkumar Thakur S/o Binda Bihari Thakur R/o village- Noneya, Makhahiya
Paraha Tola, P.S.- Paharpur, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 01-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and the State.

The petitioner, who is languishing in custody since 02.06.2019, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 302/34 of the IPC.

The prosecution case, as per the written report of Upendra Thakur, submitted to S.H.O., Paharpur Police Station is to the effect that the sister of the informant, Sobha Devi was married with the petitioner about ten years prior to the lodging of the FIR, but subsequent to the marriage, there was further dowry demand of a motorcycle and cash amount of Rs. 1 lac for



which a criminal case was also lodged in which some of the family members of the petitioner were apprehended, although subsequently issue was reconciled, but it is alleged that after some time, the sister of the informant was again tortured. On 01.06.2019, the informant came to know that the petitioner and his brother Shankar Thakur killed the sister of the informant by causing injury by axe on her neck.

It is submitted by learned counsel for the petitioner that from the FIR, it appears that assault was made by co-accused Shankar Thakur. The petitioner is languishing in custody since 02.06.2019 and the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that during investigation, the witnesses have deposed that relationship between the petitioner and his wife was not cordial and it was the petitioner who caused injury with axe on the neck of the victim which is being corroborated by the postmortem report.

Considering the nature of accusation and material collected during investigation suggesting the accusation of assaulting the victim with axe by the petitioner, which is being corroborated by the postmortem report, this Court is not inclined



to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, in connection with Paharpur P.S. Case No. 168 of 2019, pending in the court of learned J.M., 1st Class, East Champaran, Motihari is rejected for the present.

However, it is expected from the learned trial court to expedite the trial.

The Application is dismissed.

(Dinesh Kumar Singh, J)

Amrendra/-

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

