

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16105 of 2020

Arising Out of PS. Case No.-69 Year-2019 Thana- PHENHARA District- East Champaran

Satyendra Thakur S/o Palit Thakur Resident off Mohalla- Fulwariya, P.S.-
Phenhara, Distt- East Champarn

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party : Mr.Ajit Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-07-2020 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Section 302 and other allied
sections of the Indian Penal Code.

Prosecution's case, in brief, is that the petitioner and
other about 15 accused persons, on the accusation of child lifter
(*Bachha Chor*) surrounded the informant's brother-in-law and
assaulted him by means of lathi, danda etc. as a result of which
he died on the spot.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in this case due to
dirty village politics. Petitioner has got no criminal antecedent



and the instant case is an example of mob lynching and there is general and omnibus allegation against the petitioner and all other persons and in fact the petitioner was not present on the spot as he was in a job in Delhi. Similarly situated co-accused Gayatri Devi has already been allowed pre-arrest bail by a bench of this Court vide order dated 23.1.2020, passed in Cr.Mis.No. 83353/2019.

Learned counsel for the State opposes the prayer for bail. He submits that there is allegation against the petitioner and other accused persons that they assaulted the victim causing his instant death. Further, aforesaid Gayatri Devi has been granted the privilege of pre-arrest bail because of being a lady, as such, petitioner cannot be given the benefit of that case.

In view of the nature of allegation, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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