

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23866 of 2020

Arising Out of PS. Case No.-795 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

1. SANJEET THAKUR Son of Sadhu Saran Thakur @ Sadhu Narayan Thakur Resident of Village- Basudeopur Chaputa, P.S.- Hajipur Sadar, District- Vaishali.
2. Sadhu Saran Thakur @ Sadhu Narayan Thakur Son of Siyalal Thakur Resident of Village- Basudeopur Chaputa, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Adv.
For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-10-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Sri Ashok Kumar, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Hajipur Sadar P.S. Case No. 795 of 2019 registered for the offence punishable



under Sections 302, 328, 365 and 120(b) of the Indian Penal Code.

The daughter of the informant is stated to have been married with one Ranvijay Thakur on 5.3.2008, however, she was used to be tortured by the accused persons on account of non-fulfillment of the demand for dowry and subsequently, the accused persons are stated to have killed the daughter of the informant and on receiving such information, the informant is stated to have gone to matrimonial home of his daughter where he learnt that the accused persons have killed his daughter and had made her dead body to disappear.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. It is submitted that as far as the petitioner no. 1 is concerned, he is the elder brother-in-law of the deceased and the petitioner no. 2 is the father-in-law of the deceased and they are living separately,



as such, they have got nothing to do either with the deceased or her husband. It is further submitted that the FIR has been lodged after a great delay, which casts suspicion over the prosecution story. It is further submitted that similarly situated co-accused persons have already been granted bail by a coordinate Bench of this Court vide order dated 9.9.2020 passed in Criminal Miscellaneous No. 14828 of 2020.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the parity of the case of the petitioners with that of the co-accused persons, who have been granted anticipatory bail by a coordinate Bench of this Court, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of



their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur in connection with Hajipur Sadar P.S.Case No. 795 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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