

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24188 of 2020

Arising Out of PS. Case No.-872 Year-2015 Thana- MOTIHARI TOWN District- East
Champaran

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VIJAY THAKUR Son of Bachcha Thakur Resident of Village - Barharwa,
Lakhansen, P.S. - Dhaka, District - East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj, Adv
For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 30-09-2020 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 14.03.2019 passed in Criminal Miscellaneous No. 399 of 2019.

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

Informant who is the wife of deceased has alleged that some unknown criminal killed her husband when he was sleeping in his house. FIR is against unknown.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion. Petitioner is not named in the FIR. No incriminating article has been recovered from the possession of petitioner. Petitioner has got no criminal antecedent and is in custody since 05.06.2018.

Witnesses examined during trial have not supported the prosecution case.

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 **Motihari Town P.S. Case No. 872 of 2015**, 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/her absence on two consecutive dates without sufficient reason, his/her 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)

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