

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3453 of 2020**

Arising Out of PS. Case No.-231 Year-2018 Thana- BEGUSARAI MUFFASIL District-  
Begusarai

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Sonu Thakur @ Sonu Kumar Thakur @ Sonu Kr Thakur, Male, aged about 23 years, Son of Rabbi Thakur @ Rabi Thakur @ Rabi Jha, Resident of Village - Bari Eghu, Mohan Eghu, P.S.- Muffasil, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Satya Nand Shukla

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

6      09-09-2020                      Heard both sides through video conferencing.

The petitioner seeks bail in Muffasil P.S. Case No.231 of 2018, registered under Sections 302, 201 and 34 of the Indian Penal Code.

The FIR was lodged on the basis of *fardbeyan* of Chowkidar against unknown after recovery of the dead body.

Learned counsel for the petitioner submits that there is no eye witness of the occurrence. During the course of investigation, for the first time, the name of the petitioner surfaced in the case in para21, 82 and 83 of the case diary. The father and mother of the deceased disclosed that the petitioner and other accused persons took their son before the occurrence but thereafter their son did not return.

The learned Additional P.P. opposed the prayer for bail.

Perused the records. Of course the petitioner is not named



in the FIR. The FIR was lodged by the Chowkidar against unknown after recovery of the dead body. For the first time, the name of the petitioner surfaced in the case in the statement of Sudhir Prasad Singh in para 21 of the case diary. It has come that the father of the disclosed that Amod Jha, Sonu Thakur, the petitioner and 3-4 other persons took his son to attend a *Tilak* ceremony party but his son did not return. In para 82 and 83 of the case diary, Deji Devi, the mother of the deceased, and Prince Kumar, the brother of the deceased, reiterated the same facts.

Taking into consideration the facts that the deceased went along with the petitioner and others and thereafter his dead body was recovered from a ditch and the postmortem report shows that the deceased was killed within 24 hours from the time of holding the postmortem, I am not inclined to enlarge the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

If the trial is not concluded within nine months, the petitioner may renew his prayer for bail.

**(Prabhat Kumar Jha, J)**

S.KUMAR/-

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