

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36895 of 2020**

Arising Out of PS. Case No.-152 Year-2019 Thana- BHAWANIPUR District-
Purnia

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Sanjit Thakur @ Sanjit Kumar Thakur Son Of Sudhir Thakur Resident Of
Village- Sondeep. P.S. _ Bhawanipur, District- Purnea

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kumar, Advocate

For the State : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 22-03-2021

Heard learned counsel for the petitioner and learned

APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner is in custody since 18.06.2020 in connection with Bhawanipur P.S. Case No. 152 of 2019 for the offences alleged under Sections 341, 323, 302/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in connection with alleged murder of the informant's husband Nand Kishore Thakur. It is submitted that as a matter of fact the deceased was of advanced age of 70 years and suffering from tuberculosis who died as a result of fall at the tubewell. It is



stated that there is considerable delay of about 9 days in lodging the F.I.R. on 03.09.2019 for the alleged occurrence of 25.08.2019. The petitioner has already suffered custody since 18.06.2020, and claims clean antecedents.

4. Learned APP on the other hand opposes the bail petition, submitting on the basis of paragraph nos. 7, 8 and 9 of the case diary containing statements of witnesses who have supported the prosecution case, that the petitioner assaulted the deceased with the handle of the tubewell hand pump. The delay in lodging the FIR was on account of medical treatment of the victim who did not survive.

5. Having regard to the nature of accusations and the gravity of the offences alleged, this Court is not inclined to grant the privilege of bail to the petitioner. The bail petition stands dismissed.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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