

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37648 of 2021

Arising Out of PS. Case No.-553 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

1. MITHUN THAKUR S/o Dhaneshwar Thakur Permanent Resident of Village- Gaura, P.S.- Sahebganj, District- Muzaffarpur and presently residing at Village- Salahpur Panchayat Mohabbatpur, P.S.- Deoria, District- Muzaffarpur.
2. Kavita Devi Wife of Mithun Thakur Permanent Resident of Village- Gaura, P.S.- Sahebganj, District- Muzaffarpur and presently residing at Village- Salahpur Panchayat Mohabbatpur, P.S.- Deoria, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate
For the Opposite Party/s : Smt. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Learned Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner No.2, as the petitioner No.2 has been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner No.2 is dismissed as withdrawn.



The petitioner No.1 is apprehending his arrest in a case registered under Sections 302, 201/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner No.1 caused death of the brother of the informant.

It has been submitted on behalf of the petitioner No.1 that the petitioner No.1 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No.1. The petitioner No.1 has falsely been implicated in the present case. The petitioner No.1 is brother-in-law of the deceased. There is no eye witness to the alleged occurrence. The name of the petitioner No.1 has transpired in this case merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner No.1 in this case.

On behalf of the State, it is submitted that the petitioner No.1 is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner No.1, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with



two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st West, Muzaffarpur in connection with Sahebganj P.S. case No.553/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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