

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50550 of 2021**

Arising Out of PS. Case No.-406 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

ANIL THAKUR @ ANIT THAKUR @ CHINTU S/o SRI SURESH
THAKUR R/o VILLAGE-PAHATIYA, P.S-HAJIPUR SADAR, DISTRICT-
VAISHALI AT HAJIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navjot Yeshu, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

4 28-02-2022 Heard learned counsel for the petitioner and Mr.
Umeshanand Pandit learned A.P.P. for the State.

The petitioner seeks bail in connection with Hajipur
Sadar P.S. Case No. 406 of 2020 dated 15.07.2020 instituted for
the offences under Sections 304B, 328 and 201/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 09.11.2020 is a person with clean
antecedent, charge-sheet has been submitted in the case. It is
further submitted that the informant alleges that his daughter
(deceased) was married on 20.06.2014 with the petitioner and
two years after marriage the accused including the petitioner
started demanding dowry of Rs. 4 lakhs, further a female child



was born, the accused used to assault his daughter and the deceased on 02.07.2020 at 8 p.m. informed that she was brutally assaulted by the accused person, the informant accordingly, received an information that his daughter and granddaughter have been killed by administering poison.

Learned counsel for the petitioner submits that petitioner is the husband, the marriage was nearby 6 years old and as far as allegation of demanding dowry and assault is concerned, the same has been made only to give serious colour to the case because in between 2014 till 2020 no case was ever instituted by the informant or the deceased against the petitioner or his family members. It is further submitted that the First Information Report also records that the informant was informed by the deceased that she was being brutally assaulted and later he came to know that his granddaughter and daughter both have been killed, when the granddaughter is still alive, his further demonstrates that only with a view to falsely implicate the petitioner the informant instituted a false case. It is further submitted that the petitioner had even taken the deceased to P.M.C.H for treatment when she was not feeling well and she was admitted in the unit of Dr. K. Kishore on 02.07.2020 and accordingly, this Court vide order dated 15.02.2022 had



directed the Superintendent of Police, Vaishali to file counter affidavit stating that as to whether the deceased was admitted in the Unit of Dr. K.Kishore or not.

Tdoay, a counter affidavit has been filed in which the Superintendent of Police, Vaishali has stated that the deceased was admitted in P.M.C.H and was treated and even Investigating Officer has been show caused for dereliction of duty by the Superintendent of Police, Vaishali.

Learned counsel for the petitioner thus, submits that if the petitioner had any intention of killing the deceased then definitely he would not have taken her to P.M.C.H. and got her admitted and treated.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 09.11.2020, is a person with clean antecedent and charge-sheet has been submitted in the case and also taking into consideration the submission made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in



connection with Hajipur Sadar P.S. Case No. 406 of 2020.

(Satyavrat Verma, J)

Jagdish/-

U		T	
---	--	---	--

