

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68969 of 2021**

Arising Out of PS. Case No.-68 Year-2021 Thana- BANGAWON District- Saharsa

Munna Thakur, S/o Sanjay Thakur, Resident of Village - Murli Basantpur, P.S.
- Bangaon, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh, APP

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

3 21-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bangaon P.S. Case No. 68 of 2021 registered for the alleged offences under Sections 302, 201, 498A and 120B of the Indian Penal Code.

As per prosecution case, the daughter of the informant who was step-mother of this petitioner, was killed by the petitioner and his co-accused father and sister.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case merely on



suspicion. The petitioner is the step-son of the deceased and he has been residing separately from his father and step-mother. There is no specific allegation against the petitioner. There is no eye witness to the alleged occurrence. The step-mother of this petitioner died due to Covid-19 Pandemic and the informant and his other family members were informed but they did not come for cremation. Learned counsel further submits that the petitioner had given *Mukhagini* to the deceased and also performed *Shraadh* for her. It is not believable that although the informant was having knowledge about continuous torture and assault by the petitioner and other co-accused persons, still he did not lodge any complaint with any of the authorities. Learned counsel further submits that the petitioner is in custody since 13.06.2021 as mentioned in the impugned order and charge-sheet has been submitted against him along with co-accused Sanjay Thakur whereas another co-accused Puja Kumari has been exonerated.

Learned APP opposes the prayer for bail submitting that the petitioner has been named in the FIR by the informant for killing the daughter of the informant.

Perused the records.

Having regard to the submissions made herein-above



and considering the absence of any material to connect the petitioner with the alleged crime and also considering his clean antecedent along with the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Saharsa in connection with Bangaon P.S. Case No. 68 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be Meera Devi, grandmother of the petitioner, who has sworn the affidavit in this case.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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