

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1005 of 2022

Arising Out of PS. Case No.-22 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

SANJAY KUMAR THAKUR S/o- Late Dukhi Thakur Resident of village -
Mithanpura, Police Station - Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-04-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the
offence under Section 302 / 34 of the Indian Penal Code.

As per the F.I.R., on 20.12.2020 at 4:00 PM, this
petitioner and other F.I.R. named co-accused forcibly took
husband of the informant with them and on the next day,
husband of the informant was found dead.

It is submitted on behalf of petitioner that F.I.R. has
been lodged after a gap of 42 days of the alleged occurrence
with due deliberation and consideration. There is no eye-witness
to the occurrence and only on suspicion, petitioner has been
made accused. During course of investigation, only material has
come against this petitioner is that he has been found to have
made conversation with the co-accused persons during that
period and his tower location was found with the tower location



of deceased. It is further submitted that no *ante-mortem* injury has been found on the person of deceased. Petitioner claims clean antecedent and he is in custody since 06.09.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Muzaffarpur in connection with Bochahan P.S. Case No. 22 of 2021.

(Prabhat Kumar Singh, J)

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