

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3346 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- MAHILA PS District- Darbhanga

DEEPAK THAKUR, S/o Late Jagdish Thakur R/o- Sunderpur, Sonartola,
Ward No- 04, P.S.- L.N.M.U., District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 27-02-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Mahila P.S. Case No. 44 of 2022 registered for the offences
punishable under Sections 498(A), 354(B), 323 and 504/34 of
the Indian Penal Code and Section 8 of POCSO Act.

As per the prosecution, the informant alleged that the
petitioner (husband of the informant) physically assaulted and
abused her on regular basis. Further it is alleged that this
petitioner sexually assaulted his one minor daughter aged about
15 years and one namely, Lal Babu Thakur also tried to
establish physical relation forcefully with the informant.

The main submissions advanced by the learned
counsel for the petitioner are that in between both the spouses a
good relation has restored and the informant who happens to be
wife of this petitioner has compromised this case with petitioner



and she has filed compromise petition before the court below of which certified copy has been filed before this court and in the present time there is no dispute in between them. Further submission is that the informant's daughter was not medically examined and no injury was found on the person of informant and her daughter and the petitioner has been languishing in jail since 11.11.2022 and the main alleged offences of IPC are compoundable and other alleged offences are not applicable in the present matter.

Learned APP appearing for the State has opposed the bail prayer.

Considering the aforesaid facts and mainly the custody period of the petitioner, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the 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 the concerned Court in connection with Mahila P.S. Case No. 44 of 2022.

(Shailendra Singh, J)

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