

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14199 of 2023

Arising Out of PS. Case No.-294 Year-2018 Thana- ROSERA District- Samastipur

CHANDRAKANT THAKUR S/O LATE BIRO THAKUR Resident of
Village- Bharwara, P.S.- Rosera, District- Samastipur,

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abbhishek Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Rosera P.S. Case No.- 294 of 2018 registered for the offences punishable under Sections 302 and 201 of the Indian Penal Code. He has got no criminal antecedent.

As per the prosecution story, the daughter-in-law of the petitioner while cooking food at her matrimonial house, all of a sudden fire caught to her clothes and burnt most of her body parts, the other family members tried to set off the fire but it was too late. Later on, when her husband took her to D.M.C.H. for her treatment but in the way she died. Thereafter, they cremated her in their village.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is submitted that till now no evidence has been collected by the Investigating Agency establishing the role of this petitioner in commission of the alleged offence.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, in which in this case of the year 2018 even as a chargesheet has already been filed by the Investigating Agency against three other persons and the investigation against this petitioner has been kept open for last about 5 years, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named shall be enlarged on bail in connection with Rosera P.S. Case No.- 294 of 2018 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Rosera, Samastipur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition that the petitioner shall cooperate in investigation by presenting himself as and when required by the Investigating Officer.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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