

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18875 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- BANGAWON District- Saharsa

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RITESH THAKUR @ BITALI THAKUR Son of Dhruvakant Thakur
Resident of Village - Chainpur, P.S.- Bangaon, District - Saharsa, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar

For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 302, 120B/34 of the
Indian Penal Code.

As per allegation in the FIR, several accused persons
including the petitioner have killed the grandson (Shani Kumar)
and hanged his body in a newly constructed house near Kali
Mandir. In the background of the alleged incident, a land dispute
was going on for which accused persons have threatened the
deceased for dire consequences.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. No one is
the eye witnesses of the alleged incident. Petitioner is not named



in the FIR. Name of the petitioner has surfaced in this case on the basis of extra-judicial confession of FIR named accused Ayush Kumar @ Bambam, which has no evidentiary value in the eye of law. FIR has been lodged after delay of two days after cremation of the dead body. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 23.1.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Saharsa in connection with Bangaon P.S. Case No. 04 of 2023.

(Sunil Kumar Panwar, J)

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