

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24433 of 2023

Arising Out of PS. Case No.-441 Year-2022 Thana- SIMRI District- Buxar

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DHRUV THAKUR @ DHRUV KUMAR THAKUR Son of Late Sudarshan
Thakur @ Sudarshan @ Hariyan Thakur Resident of Village - Sahiyar, P.S.-
Simri, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Simri P.S. Case no.441 of 2022 registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, it is stated that on the orders and instigation of the petitioner, over a dispute relating to agricultural land, Munna Thakur assaulted the brother of the informant as a result of which he fell down. Thereafter it is stated that on further orders of Deepak Thakur, Munna Thakur dragged over the informant's brother with the tractor assuring that he died. The informant's brother died in course of treatment.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case for the reason of land dispute which is evident from the FIR itself. Even as per the allegations, the petitioner is said to be the order giver while the allegation of assault etc. is on coaccused Munna Thakur. The petitioner is in custody since 17.11.2022 and has no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

6. Learned counsel for the informant submits that not only the petitioner is named in the FIR but he actively participated in the occurrence giving orders that the informant's brother should be killed and consequent thereto the informant's brother was brutally murdered.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR wherein the petitioner is alleged to be the order giver, the main allegation being on coaccused Munna Thakur, the petitioner having remained in custody for 6 months since 17.11.2022, chargesheet having been submitted in the case and his not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Simri P.S. Case



no. 441 of 2022 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Buxar.

(Partha Sarthy, J)

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