

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26842 of 2023

Arising Out of PS. Case No.-432 Year-2021 Thana- SUGAULI District- East Champaran

Pawan Thakur Son Of Batuk Thakur Resident Of Village - Sugaon, P.S.-
Sugauli, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sugauli
P.S. Case No. 432 of 2021 instituted for the offence punishable
under Sections 302, 201, 120(B) of the Indian Penal Code.

3. The prosecution case, in short, is that informant's
daughter is married to co-accused and four years after the
solemnization of marriage, his daughter's-in-laws started
assaulting her for dowry demand. On 07.10.2021, the informant
got information that his daughter has been killed and it is
alleged that her in-laws have assaulted and killed her.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he is falsely implicated in this case. It
is further submitted that the petitioner is neither relative nor



family member, rather he is one of the villager and has no any concern from the family of the deceased. It is further submitted that there is no eye-witness to the alleged occurrence and there is general and omnibus allegation against all the accused persons and merely on the basis of suspicion, they got arrested. Lastly, it has been submitted that the petitioner is in custody since 16.11.2022, has six criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in Sugauli P.S. Case No. 432 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation,



preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

