

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37997 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- BIRAUL District- Darbhanga

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Dinesh Thakur @ Ghantun @ Chantoon @ Ghantun Thakur @ Dinesh
Chandra Thakur S/O Late Ram Lalit Thakur R/O Village- Parari, PS. Biraul,
Dist. Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection
with Biraul P.S. Case No. 24 of 2023 registered for the offences
punishable under Sections 302, 120(B) and 34 of the Indian
Penal Code.
3. Learned counsel for the petitioner submits that the
petitioner has antecedent of five cases out of which he has been
acquitted in three cases as such presently the petitioner has two
antecedents and the informant alleges that someone on
19.01.2023 informed his brother-in-law that his mother-in-law
has been killed, accordingly his brother-in-law informed him
that his mother has been killed, thereafter he along with brother-



in-law reached the village where he saw the dead body of his mother with marks of injury on nose and neck, it is next alleged that he came to know that on 18.01.2023, his divorced first wife (Rubi) along with Dinesh in conspiracy killed his mother.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that informant used to torture his wife Ruby as such she took divorce in which the petitioner and his family members helped, it is further submitted that the deceased was nearly eighty years old and she died her natural death. Learned counsel next submits that from perusal of the allegations as alleged in the FIR it would manifest that the informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion, further even his brother-in-law did not disclose to the informant that as to who informed him that his mother was killed which further casts an aspersion on the case of the prosecution. Learned counsel next submits that petitioner will not abscond rather will present himself as and when required by the Investigating Officer of the case for eliciting the truth and proving his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Biraul P.S. Case No. 24 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself as and when required, the learned trial court shall be at liberty to cancel the bail bond of the petitioner after recording reasons.

8. Let a copy of this order be sent to the concerned PS through learned trial court.

(Satyavrat Verma, J)

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