

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53676 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- SONBERSA District- Sitamarhi

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1. UMESH THAKUR SON OF LATE SITA RAM THAKUR RESIDENT OF VILLAGE- CHILARA, PS- SONBARSA, DIST- SITAMARHI
 3. SAVITRI DEVI @ PAWITRI DEVI WIFE OF UMESH THAKUR RESIDENT OF VILLAGE- CHILARA, PS- SONBARSA, DIST- SITAMARHI

... .. 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. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2023 Heard the parties.

The petitioners are in custody since 26.04.2023 in connection with Sonbarsa P.S. Case No. 153 of 2023 for the offence punishable under Sections 304 (B), 201, 34 of IPC lodged on 24.04.2023 by the informant, Naresh Thakur.

As per the prosecution story, the allegation is that the deceased lady was married to Santosh Thakur, son of the petitioners herein but he was tortured for dowry and later the informant came to know about her killing and the mortal remains were also consigned to the flame. Accordingly, the FIR.

It is the case of the petitioners that they were living separately, are old parents, the husband was also arrested along



with them and is in custody since 26.04.2023 (as stated in paragraph-15 of the petition)

Learned APP opposes the prayer stating that only because the girl was suffering from epilepsy, she was killed.

Taking into account the fact the person who was to protect the lady himself the husband, is in custody since 26.04.2023, the petitioner are the old parents and will be facing the trial, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Sonbarsa P.S. Case No. 153 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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