

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70243 of 2022

Arising Out of PS. Case No.-124 Year-2021 Thana- FALKA District- Katihar

Manish Kumar Thakur S/o Shiv Shankar Thakur @ Shankar Thakur R/o
Village- Bareta, P.S.- Falka, Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate
		Ms. Priyanka Singh, Advocate
For the Opposite Party/s :		Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-05-2023 Heard Mr. Y.C. Verma, learned senior counsel for the

petitioner and Mr. Ram Naresh Ray, learned Additional Public

Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
23.04.2021 in connection with Falka P.S. Case No. 124 of 2021,
F.I.R. dated 22.04.2021 for the offences punishable under
Sections 304-B, 328, 120B/34 of the Indian Penal Code.

According to prosecution case, the informant claimed
that the petitioner along with his family members have killed the
her daughter. It is further alleged that they were torturing her



since last five years and also keep her separate from her family.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that it has come during investigation that the victim has committed suicide herself due to the reason that the petitioner has not purchased her mobile phone. He further submits that the postmortem report as well as F.S.L. report also confirms that the deceased has died due to poison. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 23.04.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VIII, Katihar in connection with Falka P.S. Case No. 124 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 shall remain physically present as directed 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. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/-

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