

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73290 of 2023

Arising Out of PS. Case No.-225 Year-2023 Thana- MAHUA District- Vaishali

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AMOD THAKUR S/O SHANKAR THAKUR VILLAGE- BISANPUR
MADHAUL, PS. MAHUA, DIST. VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with Mahua P.S. Case No. 225 of 2023, registered for the offence punishable under Sections 363, 365, 498(A), 506/34 later on 302 of the Indian Penal Code.

3. As per the prosecution story, the daughter of the informant was married to Arvind Thakur in 2010 but was always subjected to torture. On 25.03.2023, the daughter informed that she has been assaulted by her in-laws and have threatened to dire consequences. On the next day, when he tried



to contact his daughter, the phone was switched off. Later, when he went to their place, he was misbehaved and came to know that both his daughter and grand-son are missing. Accordingly, the FIR. Subsequently, the dead bodies of the lady and the son were recovered and Section 302 of the IPC was added.

4. Learned counsel for the petitioner submits that he is younger brother of the accused Arvind Thakur with whom the lady was married, he is living separately having no relationship with them and only because petitioner is part of the family, implicated. Further, contention of the petitioner is that the husband is already in custody which has been incorporated in para 13 of the petition, the last submission is that he is custody in since 09.04.2023 (as stated in paragraph-13 of the bail application).

5. Learned APP for the State opposes the prayer for bail and submits that it is a case of double murder.

6. Having heard the parties, though the content of the allegation is very disturbing as not only the lady, a minor child has also been killed, the fact remains that the petitioner is younger brother-in-law of the deceased lady, the husband has already been taken into judicial custody, this Court is inclined to extend him privilege of bail.



7. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Vaishali, Hajipur in connection with Mahua P.S. Case No. 225 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/her 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) 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 his bail bonds;

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



(Rajiv Roy, J)

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