

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74196 of 2022

Arising Out of PS. Case No.-234 Year-2022 Thana- PIRPAINTI District- Bhagalpur

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MAHESH THAKUR Son of Late Ram Govindpur Thakur @ Ram Gobind
Thakur Resident of Village - Makrandpur, P.S.- Pirpainty, District -
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection
with Pipainty P.S. Case No. 234 of 2022 instituted under Section
304 (B), 201 and 328/34 of the I.P.C. pending in the Court of
Learned Chief Judicial Magistrate, Bhagalpur lodged on
20.07.2022 by the informant Chintawan Thakur.

As per the FIR, the prosecution story, in brief, is that
on 20.07.2022, one Chintawan Thakur submitted written report
to the Station House officer of Pirpainty Police Station alleging
therein that on 19.07.2022, he got an information about his



daughter Rekha Kumari, who was married with one Yogesh Thakur about five years before, has been killed in her sasural by her in laws for non- fulfillment of demand of dowry. It was further alleged that upon this information, he alongwith his wife reached at the sasural of their daughter, where they learnt by nearby people that her daughter has been killed by administering poison and thrown the dead body in the Bhorang - Bahiyar.

It has been submitted by learned counsel for the petitioner that the petitioner is an aged person, father-in-law, living separately from the couple and further the husband Yogesh Thakur is in jail (as stated in para-12 of the petition).

Learned APP opposes the prayer.

Considering the fact that the petitioner is the father-in-law and as per para-12, the husband is already in custody, FIR lodged, ultimately he will have to face the trial, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Pipainty P.S. Case No. 234 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, subject to 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 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 the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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