

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10667 of 2024

Arising Out of PS. Case No.-121 Year-2023 Thana- PHENHARA District- East Champaran

Kundan Kumar Thakur S/o Ram Kumar Thakur R/o Village- Sirouli, P.S.-
Madhuban, District- East Champaran (Motihari)

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Kumari

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376, 302/34 of the Indian Penal Code and later on added section 376(D) of ht I.P.C.

3. Prosecution case, in brief, is that the informant's daughter (Victim) used to work in Maa Janki Sonamati Seva Sansthan Hospital which were administered by co-accused Dr. Jai Prakash Das and Dr. Mantosh Kumar. Other FIR named accused were employee in the said hospital. It is alleged that the victim disclosed that accused persons used to commit wrong with her and after that she stopped going there. It is further



alleged that on 8.8.2023, co-accused Dr. Jai Prakash Das called the victim for payment of her balance amount after which she did not return. The informant received information that the accused persons have ravished and murdered her daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion. There is no specific allegation against this petitioner. No any consistent material has come during investigation against this petitioner. Other co-accused Nikhil Kumar Singh has already been enlarged on bail by this Court vide order dt. 29.2.2024 passed in Cr. Misc. No. 77739 of 2023. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 12.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fenhara P.S. Case No. 121 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of
learned Chief Judicial Magistrate, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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