

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14130 of 2024

Arising Out of PS. Case No.-835 Year-2023 Thana- PURNEA SADAR District- Purnia

Santosh Thakur @ Santosh Kumar Thakur, Male, Aged about 38 years, Son of Late Narayan Thakur, Resident of village - Birpur Lokhra, P.S.- Mufassil, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Advocate
For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 22-05-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Purnea Sadar Mufassil P.S. Case No. 835 of 2023 instituted for the offence punishable under Sections 302/34 of the Indian Penal Code.

3. As per F.I.R., the allegation against the petitioner is to have killed the informant's wife along with other accused persons by pressing her mouth with pillow.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. He



has falsely been implicated in this case due to dirty village politics and being the nephew of co-accused Jai Narayan Thakur. A land dispute is going on between the informant and Jay Narayan Thakur but petitioner has no concern with land dispute. The occurrence took place on 01.10.2023 but the F.I.R. was lodged on 03.10.2023 and there is no any explanation of delay. There is no any specific allegation against the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

6. From perusal of the F.I.R., impugned order dated 23.01.2024 and case diary including the postmortem report, it appears that on the basis of written report of the informant Krityanand Thakur F.I.R. registered against five accused persons including the present petitioner. The allegation against the petitioner is that he along with co-accused persons pressing the mouth of the informant's wife with pillow due to which she died. The informant identified the petitioner and other accused persons. The case is under investigation. The postmortem report of the deceased also supported the version of the F.I.R.

7. Considering the facts and circumstances of the case



and serious nature of allegation, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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