

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54670 of 2024

Arising Out of PS. Case No.-156 Year-2023 Thana- ANDHRATHARHI District- Madhubani

Bhogendra Thakur S/o Jharilal Thakur R/o Village Jamaila Bazar, PO
Madana, PS Andharatharhi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Prabhakar

For the Opposite Party/s : Mr.Jagdhara Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 25-09-2024 Heard learned senior counsel for the petitioner,
learned counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with
Andharatharhi P.S. Case No. 156 of 2023 registered for the
offences under Sections 307/34 of the Indian Penal Code and
under Section 27 of the Arms Act and later on Section 302 of
the Indian Penal Code was also added.

3. As per the prosecution case, some unknown
criminals had shot at the victim and subsequently he died during
the course of treatment.

4. The petitioner is in jail since 10.11.2023.

5. It has been submitted by the learned senior
counsel for the petitioner that except for enmity between the



parties, there is no legal materials against the petitioner and the petitioner, after having come to know that he is implicated in the case has surrendered on his own.

6. Learned senior counsel for the petitioner also submits that one confession has been extracted by the police which has no evidenciary value and from the confession also it will appear that the allegation against the petitioner is that he had asked one Om Prakash Yadav to break the bones of hand and leg of the deceased but instead of doing so, Om Prakash Yadav killed the deceased.

7. Learned counsel for the informant has submitted that the petitioner is the reason behind the murder of the deceased and therefore his application for grant of bail may be rejected.

8. Considering the fact that there is no material to connect the petitioner with the crime except his confessional statement and also considering the period of custody, this application is allowed.

9. 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 Judicial Magistrate, 1st Class, Madhubani in



connection with Andharatharhi P.S. Case No. 156 of 2023.

10. As a condition of this order, the petitioner after being released on bail is directed to mark his attendance at Andharatharhi Police Station on first and third Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

11. As a condition of this order, the petitioner, after being released on bail is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Non-compliance of the condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

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