

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55636 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- BHAGWANGANJ District- Patna

Vinay Thakur Son Of Late Jagalu Thakur Resident Of Village - Chiraiyatand
(PATARIA), P.S. - Karauna, (O.P.), District - Jehanabad

... .. Petitioner/S

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Humayou Ahmad Khan

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

7 21-02-2024 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 302, 120B, 201/34, 201/34 of the Indian Penal Code.

3. As per prosecution case, the informant alleged that on 12.1.2023 his son namely, Rajan Thakur went to his sasural but he did not return. After more than one months on 22.2.2023, one dead body was found which was identified as informant's son. Thereafter, the informant raised suspicion and lodged the FIR against the petitioner along with others regarding commission of murder of his son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. After



finding the dead body of the deceased, the informant raised only suspicion against the petitioner and implicated in the present case. There is no consistent evidence came against the petitioner during course of investigation. No one is eye witness of the alleged occurrence. One co-accused Vinay Thakur confessed his guilt along with the petitioner but confession before police is inadmissible in the eye of law. The entire prosecution hinges around suspicion only. It is further submitted that the petitioner is languishing in judicial custody since 28.02.2023.

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 Bhagwanganj P.S. Case No. 35 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 J.M. 1st Class, Masaurhi/concerned Court

(Ramesh Chand Malviya, J)

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