

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64018 of 2024

Arising Out of PS. Case No.-382 Year-2010 Thana- BANKA District- Banka

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Tun Thakur @ Tuntun Thakur @ Sanjit Kumar Thakur Son of Late Ugresh Thakur @ Late Ugresh Chand Thakur R/o Village- Bhatkundi, P.S.- Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ajay Mukherjee, Advocate
For the State : Mr. Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 201 and 34 of the Indian Penal Code.

3. As per prosecution case, the informant suspects that in order to grab the land of informant, all the F.I.R. named accused persons, including this petitioner, committed murder of son of informant.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in this case merely on suspicion. Informant is not an eye witness of the alleged occurrence and on account of old enmity, this petitioner has been made an accused in this case. It is further submitted



that F.I.R. has been lodged after recovery of dead body, which creates doubt over the veracity of the prosecution story. Similarly situated co-accused persons have already been granted bail by a Co-ordinate Bench of this Hon’ble Court vide order dated 12.07.2024 passed in *Cr. Misc. Nos. 33004, 35074 and 37080 of 2024*. Petitioner has got no criminal antecedents and he is in custody since 30.07.2024. Moreover, charge-sheet has already been submitted.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, rival submissions, nature of accusation and clean antecedents of the petitioner, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner 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 learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 382 of 2010.

(Prabhat Kumar Singh, J)

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