

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2856 of 2025

Arising Out of PS. Case No.-197 Year-2024 Thana- SIMRI District- Darbhanga

Satish Thakur S/o Gopal Thakur Resident of Village- Kamrauti, Police
Station- Simri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 13-05-2025 Heard Mr. Nilendu Kumar Choudhary, the learned
counsel appearing on behalf of the petitioner and Mr. Rajendra
Singh, the learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Simri (Simri Bazar) P.S. Case No. 197 of 2024, registered for
the offences punishable under Sections 103(1) and 3(5) of the
B.N.S., 2023. Petitioner has clean antecedent.

3. The prosecution case is to the effect that the
informant alleged that the petitioner along with his brother,
namely, Rakesh Thakur had called her son out and they had all
gone together on motorcycle. Subsequently, when her husband
did not return, she tried to find out about his location and later
on she came to know that her husband was lying on the road and
from there he was taken to D.M.C.H. for treatment, however,
during the course of treatment her husband died. The informant



has alleged that the two accused persons, namely, Satish Thakur (petitioner) and Rakesh Thakur had assaulted her husband and because of that her husband died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case at the behest of the informant, however, it is evident from the investigation wherein independent witnesses have stated that the injuries were caused due to an accident which had occurred on the fateful day. Learned counsel for the petitioner has also pointed out that the informant in her first statement in the FIR had not stated about her husband having disclosed about the incident of assault by petitioner and his brother but subsequently in her restatement she has added that her husband disclosed about this petitioner and his brother to have assaulted him. The learned counsel has further submitted that from perusal of the Annexure-2 series, it is clear that the petitioner himself was admitted at DMCH on the same day after the incident, however, he had not suffered any injury on any vital part of his body and he survived. It has been lastly submitted that the petitioner has clean antecedent and he is in custody since 08.10.2024.

5. Learned Additional Public Prosecutor for the State



has vehemently opposed the prayer for bail and has stated that the informant in her restatement had stated that the deceased prior to his death had disclosed about the involvement of the petitioner in the murder of the husband of the informant.

6. Considering the aforesaid facts and circumstances and taking into consideration the fact that the independent witnesses, during the course of investigation, has stated that there was an accident in which the husband of the informant as well as the petitioner both had sustained injuries and unfortunately, it was the husband of the informant, who died during the course of treatment and also taking into account the fact that the petitioner carries clean antecedent and he is in custody since 08.10.2024, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. 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 court of learned Chief Judicial Magistrate, Darbhanga, in connection with Simri (Simri Bazar) P.S. Case No. 197 of 2024.

9. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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