

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7759 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- PATKHAULI District- West Champaran

Brijbhan Thakur, S/O Late Lakshan Thakur @ Late Lachhan Thakur R/O
Village- Sukhvan, P.S.- Patkhoul, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Patkhauri P.S. Case No. 141 of 2024 dated 28.09.2024 instituted for the offence punishable under Sections 103, 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioner along with other accused persons came to the house of the informant and took her husband some where. When her husband did not return till late night, she started searching. On the next day, i.e. on 27.09.2024, she came to know about a dead body lying in a paddy field. The informant arrived there and identified her husband who was killed and thrown away.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that F.I.R. has been lodged against five named accused persons including the petitioner. Only on the basis of suspicion, the petitioner has been made accused in this case. It is further submitted that the petitioner and co-accused Bajrangi Yadav surrendered before the learned court below and thereafter, the police took them on remand and Bajrangi Yadav made his confessional statement before the police in which he stated that the petitioner, deceased and Bajrangi Yadav went to Goiti for refreshment and in course of returning, a quarrel arose between the deceased and Bajrangi Yadav. Bajrangi Yadav started assaulting on the neck of the deceased due to which he became unconscious but the petitioner was trying to save the deceased, lastly Bajrangi Yadav strangled the neck of the deceased and he died. Learned counsel for the petitioner further submits that there is no eye witness to the occurrence. From the confessional statement of co-accused Bajrangi Yadav, it is clear that Bajrangi Yadav himself confessed that he killed the deceased and the petitioner was trying to save the life of the deceased. Lastly, it has been submitted that the petitioner is in custody since 01.10.2024 having no criminal antecedents. Charge-sheet has been submitted in the case.



5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st Bagaha, West Champaran in connection with Patkhauri P.S. Case No. 141 of 2024.

(Khatim Reza, J)

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