

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75121 of 2024

Arising Out of PS. Case No.-533 Year-2023 Thana- JOGAPATTI District- West Champaran

Santosh Thakur Son of Bhot Thakur @ Bhote Thakur Resident of Vill-
Golaghat, P.S.- Yogapatti, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar
For the State	:	Mr.Yogendra Kumar
For the Informant	:	Mr. Gauri Shankar Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned A.P.P.

for the State assisted by learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with two other co-accused persons instigated one Rupesh Thakur to kill the informant's husband.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case merely on suspicion as he happens to be agnate of the main accused, Rupes Thakur. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that according to F.I.R., Nagina Thakur @ Chokat Thakur, Shiv Shankar Thakur @ Ramji Thakur and Santosh Thakur



instigated the main accused Rupesh Thakur to eliminate the informant's husband. Thus, there is vague and sweeping allegation against this petitioner. He submits that similarly situated co-accused has already been granted bail by a Bench of this Court vide order dated 04.09.2024 passed in Cr. Misc. No. 50259 of 2024. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as the fact that there is no specific allegation against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Jogapatti P.S. Case No. 533 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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