

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54595 of 2018**  
Arising Out of PS.Case No. -866 Year- 2017 Thana -BETTIAH CITY  
District- WESTCHAMPARAN(BETTIAH)

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Anup @ Anup Kumar @ Nanhki S/o Gopichan Prasad, R/o Mohalla-  
Uttarwari Pokhra, Pakki Fulwari, P.S.- Bettiah Town, District- West  
Champaran. .... Petitioner.

Versus

The State of Bihar. .... Opposite Party.

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

**ORAL ORDER**

03 08-10-2018 Heard learned counsel for the petitioner and  
learned APP for the State.

The petitioner seeks bail in connection with Bettiah  
Town P.S. Case No. 866 of 2017 registered under Section 365,  
364, 302, 201 & 120-B of the Indian Penal Code.

The brother of the informant, namely, Anil Kumar  
went missing from Bettiah Bus Stand where he had gone there in  
search of his staff and subsequently he was murdered.

It is submitted by learned counsel for the petitioner  
that no such occurrence as alleged took place. The petitioner has  
been falsely implicated in this case due to animosity. No  
incriminating article has been recovered from his conscious  
physical possession. There is no eye witness of the occurrence.



The petitioner is not named in the FIR. There is nothing on record indicating the complicity of the petitioner barring the confessional statement of the petitioner and that of co-accused, Anjali Singh @ Anjali Devi, Chandan Kumar, Rajeev Kumar, Avinash Kumar, Lal Babu Singh, Kanhaiya Kumar, Munni Lal Sah and Chanky Pandey @ Mritunjay Kumar which has no evidentiary value in the eye of law. Out of the aforesaid co-accused Anjali Singh, Chandan Kumar and Lal Babu Singh have been enlarged on bail by different co-ordinate Bench of this Court. The petitioner has been languishing in custody since 14.12.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Bettiah Town P.S. Case No. 866 of 2017.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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