

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12240 of 2020

Arising Out of PS. Case No.-67 Year-2019 Thana- SARMERA District- Nalanda

JITENDRA KUMAR@Jitendra Prasad Son of Anand Kishore Prasad
Resident of Village-Govindpur, P.S.-Sarmera, District-Nalanda.
... .. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baxi S.R.P. Sinha, Adv.
Mr. Giridhar Gopal Tiwary, Adv.
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 12-10-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Sarmera P.S. Case No. 67 of 2019, registered for the offence under sections 302, 201, 498A and 34 the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that after her marriage she was tortured by the accused persons. It is further stated that on 5.4.2019, the petitioner alongwith his brother and father beat up and injured her husband and on his death they disposed of the body.

It is submitted by learned appearing for the petitioner that from perusal of the certificate issued by the doctor contained in Annexure-2 series, it would transpire that the husband of the informant was mentally unsound and was undergoing psychiatric treatment. It was further submitted that few days after the disappearance on 5.4.2019, the father of the petitioner had filed



informatory petition, which has been brought on record as Annexure-6 to the petition. It was much thereafter on 23.4.2019 that the instant FIR has been registered with incorrect allegations. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the relationship between the parties, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Sarmera P.S. Case no. 67 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IV, Nalanda subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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