

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12821 of 2020**

Arising Out of PS. Case No.-715 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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Sindhant Anand @ Prince, S/o Madhuresh Kumar Verma, Resident of Village-
Gouriya Patti, P.S.- Kata, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 03-06-2020 The matter has been taken up through virtual Court
proceeding.

Heard learned counsel for the petitioner and learned
APP for the State.

The present application has been preferred with a
prayer for grant of bail in a case initially registered for the
offences punishable under Section 363 of the Indian Penal
Code. Subsequently, Sections 201, 120B, 302 of the Indian
Penal Code was also added.

The prosecution case as per the written report of
Gopal Sharma, submitted before the S.H.O., Bettiah Town
Police Station is to the effect that on 3.09.2019 at 9.00 P.M the
son of the informant Rohit Sharma, went out of the house for



some work and thereafter, he went traceless, leading to registration of the FIR against unknown. Subsequently, during investigation, the petitioner and others were apprehended and the petitioner and others confessed that they have killed the son of the informant and threw his dead body into a water channel. Such confession was further corroborated by other materials collected during investigation.

It is submitted by learned counsel for the petitioner that only on the basis of confession before the police, the petitioner has been roped in the present case. The confession has not led to any recovery from the possession of the petitioner and without ascertaining death of the victim chargesheet has been submitted under Section 302 of the I.P.C. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent. The petitioner is languishing in custody since 15.12.2019 and the investigation has already been concluded.

Learned APP for the State submits that not only the petitioner and other co-accused confessed their guilt that they have killed the son of the informant and threw his dead body into a water channel but also the said confession got corroborated by other materials collected during investigation.



Considering the fact that the name of the petitioner sprang up on the confession of co-accused which did not lead to any recovery, investigation already being concluded coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned CJM, Bettiah (West Champaran), in connection with Bettiah (Nagar) P.S. Case No.715 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the CJM, Bettiah (West Champaran), in connection with Bettiah (Nagar)



P.S. Case No.715 of 2019.

The learned Court below is at liberty to further extend the period of provisional bail if the lock down is not over in next three months.

(Dinesh Kumar Singh, J)

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