

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28545 of 2020

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

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SAURABH AGARWAL @ GOLU Son of Raj Kumar Agrawal Resident of
Village- Christain Quarter Church Road Bettiah, P.S.- Bettiah Town (Kalibagh
O.P.), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. B.N. Mishra,
Mr.Sachida Nand Rai, Advocates.
For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-11-2020 Heard Mr. B.N. Mishra, learned counsel for the

petitioner and Mr. Narsingh Tanti, Additional Public Prosecutor

for the state through video conferencing.

2. Petitioner seeks regular bail in connection with

Bettiah Town PS Case No. 715/2019 registered for the offence

punishable under Section 363 of the IPC, and subsequently,

charge-sheet has been submitted under Sections 302, 201/34 of

the IPC.

3. The allegation, as per First Information Report, is

that on 23.09.2019 at about 9:00 PM, the son of the informant

had gone out of his house for some work and did not return, for

which FIR has been lodged against the unknown persons.



During course of investigation, confessional statement of one Sidhant Anand @ Prince along with petitioner was recorded in which they have confessed that they have killed the son of the informant and threw the body in the water channel.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and his name has transpired in this case on the basis of a confessional statement made by a co-accused, Sidhant Anand @ Prince who disclosed the name of the petitioner and also the name of one Saurabh Srivastava. Learned counsel for the petitioner further submits that subsequently, confessional statement of the petitioner was also recorded and the other co-accused persons whose confessional statements were recorded, have been granted bail by this Court in Cr. Misc. Nos. 12821/2020 (Annexure-2) and 17535/2020 (Annexure-2/1).

5. Learned counsel further submits that petitioner is in custody since 14.12.2019.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused persons have been granted bail by this Court and the petitioner is in custody since 14.12.2019, I am inclined to grant regular bail to the petitioner



subject to the conditions that petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

7. Accordingly, let the petitioner, SAURABH AGARWAL @ GOLU be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town PS Case No. 715/2019.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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