

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85285 of 2019

Arising Out of PS. Case No.-41 Year-2010 Thana- ASARGANJ District- Munger

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NIRAJ SAH @ NEERAJ KUMAR S/o Late Munni Sah R/o village-
Asarganj, P.S.- Asarganj, Distt.- Munger. Currently residing at Mohalla- Sant
Nagar, Phase 2, Nagla Haveli, P.S.- Dayal Bagh, Distt.- Agra (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan
For the Opposite Party/s : Mr.Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 20-01-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case
registered for the offence punishable under Sections 364, 302,
201, 120B/34 of the Indian Penal Code.

The husband of the informant went missing and
subsequently his dead body was recovered. On the extra judicial
confession of co-accused Pinku Upadhyay, clothes of the
deceased was recovered when petitioner also finds place in the
confession of Pinku.

It has been submitted on behalf of the petitioner that
petitioner has got no criminal antecedent and is in custody since
05.08.2019. It has been further submitted that similarly, situated
co-accused persons have been granted bail by co-ordinate



benches of this Court vide orders dated 11.04.2013 in Criminal Miscellaneous No. 45445 of 2012, 08.07.2013 in 19129 of 2013 and 17.07.2013 in Criminal Miscellaneous No. 22186 of 2013.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Asarganj P.S. Case No. 41 of 2010**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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