

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15552 of 2021

Arising Out of PS. Case No.-45 Year-2018 Thana- KHIRI MORE District- Patna

ANUJ PRASAD SON OF NAGESHWAR PRASAD R/o village- Imamganj,
P.S.- Khiri More, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

The petitioner seeks bail in Khiri More P.S. Case No.
45 of 2018 instituted for the offences under Sections 304(B)
and 34 of the Indian Penal Code.

The earlier bail application of the petitioner was
rejected vide Annexure-1 to the present application taking into
account that the petitioner is husband of the deceased.

A report was called for from the Court below. It has
been reported that out of eight prosecution witnesses, six
prosecution witnesses have already been examined.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 01.05.2018 and has got no
criminal antecedent. There is no allegation of tampering of



witnesses alleged against the petitioner. It has further been submitted that the informant has been examined in course of trial and his statement was recorded during the trial. The informant is P.W.-3 and his deposition has been annexed to the present application. The informant and other family members of the deceased have retracted from their earlier statement made in the F.I.R.. They have not supported the prosecution case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional Sessions Judge -VI, Danapur, Patna in connection with Khiri More P.S. Case No. 45/2018, G.R. No. 1248/2018 arising out of Sessions Trial No. 543 of 2018 with a condition that petitioner shall present himself on each and every date as fixed by the Trial Court in the trial failing which the Trial Court has liberty to cancel the bail bonds of the petitioner.

(Sudhir Singh, J)

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