

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15152 of 2021

Arising Out of PS. Case No.-471 Year-2020 Thana- KATIHAR NAGAR District- Katihar

Nityam Kumar S/O Hari Prasad Verma @ Hari Prasad Das R/O P and T
Chowk Barmasiya, Police Station-Katihar Sahayak, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Yogesh Chandra Verma, Sr. Advocate. Mr. Rajendra Prasad Sah, Advocate.
For the Opposite Party	:	Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 365 of the Indian Penal Code
but subsequently Section 302 & 201/34 was added.

The son of the informant was disappeared from his
house but later on his dead body was found lying in the Koshi
river.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He is quite
innocent and has been falsely implicated in this case. He is
neither named in the F.I.R. nor was apprehended on the spot.
No incriminating article has been recovered from his conscious



physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioner in the occurrence. As a matter of fact, at the time of inquest and recovery of dead body, all the witnesses including the informant were present but none alleged anything incriminating against the petitioner. The petitioner has no criminal antecedent and has been languishing in custody since 15.10.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Katihar Town (Sahayak) P.S. Case No.471 of 2020.

(Anjani Kumar Sharan, J.)

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