

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15523 of 2022

Arising Out of PS. Case No.-263 Year-2019 Thana- NADI P.S. District- Patna

DEV RISHI @ PANDIT Son of Rajbali Rai Resident of Gadho Chak, P.S.-
Nadi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishan Jha, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 201, 120(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that on 20.10.2019 at 10:00 pm, his brother had gone to Om Kumar's house, further at 2:00 am, informant got information from villagers that his brother's dead body is lying in front of a temple which was verified by the informant, further the deceased was taken to the hospital by police for postmortem. It is next alleged that the deceased was in love with one Saloni Kumari and had an affair with her on account of which he was threatened



by four accused persons who had also assaulted him in the market, it is next alleged that six accused and 4-5 unknown persons called the deceased and Saloni and all the accused killed the deceased with sharp-edged weapon and threw his dead body in the lane.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R., it is also submitted that informant is not an eyewitness to the occurrence and during the course of investigation, petitioner's name transpired based on information provided by the spy, it is thus submitted that apart from suspicion, there is nothing against the petitioner, it is next submitted that petitioner is not even related to Saloni in any manner as such he did not had any grievance against the deceased. It is next submitted that petitioner will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten 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 Nadi P.S. Case No. 263 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving an assurance to this Court that he will cooperate in the investigation and will present himself as and when required, is not cooperating in the investigation or is not appearing when called, the learned trial court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also be entitled to cancel the bail bonds of the petitioner.

The learned trial court is directed to send a copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

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