

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33529 of 2021

Arising Out of PS. Case No.-122 Year-2011 Thana- BRAHMPURA District- Muzaffarpur

ASHOK SUDAN @ DHIRAJ VERMA Son of Late Sudhishta Narayan
Verma Resident of Village- Rasulpur Juned, P.S.- Motipur, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 05-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Brahampura P.S. Case No. 122/2011 registered for the offences
punishable under Sections 302/34 and 120(B) of the Indian
Penal Code 1860.

The allegation in nutshell is that the petitioner along
with three named accused persons took the husband of the
informant on Motorcycle and subsequently after three days, the
dead body of the husband of the informant was found in
Motipur Police Station.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case merely on the basis of last seen. However, during course of investigation, it has been found that the deceased was staying in the hotel along with one Satyanarayan Kumar and the petitioner was not seen in the hotel along with the deceased and other accused persons. He further submits that the petitioner has earlier filed anticipatory bail before this Court in Cr. Misc. 16265/2013 which was rejected. However, the petitioner did not surrender before the court below and was waiting for outcome of the investigation. Ultimately, the petitioner surrendered before the learned court below on 5.2.2021 and since then he is in custody. He also submits that at no point of time, the petitioner was declared absconder and procedure under Sections 82 and 83 Cr. P.C were not initiated against him. The dead body of the deceased was admittedly found in the Police Station. He next submits that similarly situated co-accused person has been granted bail by this Court in Cr. Misc. 33852 of 2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that similarly situated co-accused person has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Brahmpura P.S. Case No. 122 of 2011 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

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