

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38063 of 2021

Arising Out of PS. Case No.-3 Year-2020 Thana- KHAIRA District- Saran

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Anup Kumar Verma @ Anup Kumar Sah S/o Prem Chand Verma R/o village-
Koreyan, P.S.- Khaira, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Vagisha Pragya Vacaknavi
For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-04-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Petitioner apprehends his arrest in Khaira P.S. Case
No.03 of 2020, registered for the offences punishable under
Sections 302/201/34 of the Indian Penal Code.

The petitioner is said to have killed the son of the
informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got no
criminal antecedent. It is further submitted that merely on
suspicion, the petitioner has been made accused in the present
case. It is submitted on 27.12.2019, the petitioner and the son of
the informant went to the market and the son of the informant



did not return to his house but no FIR was lodged on the same day. The dead body of the son of the informant was found on 02.01.2020 and thereafter FIR was lodged on 03.01.2020. Learned counsel for the petitioner further submits that a material fact has come on the record during investigation by the police that the deceased, Neeraj Kumar Sah was doing business in Assam along with his brother. The brother fraudulently usurped the business and kicked the deceased out of the business. As a result, the deceased came home and was under depression. This fact has also come in paragraphs 34 and 37 of the case diary. It The post-mortem report shows the cause of death is due to asphaxia as a result of drowning. It is lastly submitted that there is no eye witness of the occurrence and only on suspicion, the petitioner has been made accused in the present case.

The learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid, let 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 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 learned Judicial



Magistrate, 1st Class, Chapra, Saran in connection with Khaira
P.S. Case No.03 of 2020, subject to the conditions laid down
under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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