

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44975 of 2021

Arising Out of PS. Case No.-9 Year-2021 Thana- PATAHI District- East Champaran

NIRAJ SINGH @ NIRAJ KUMAR S/o MUNDRIKA SINGH R/o
VILLAGE-JIHULI, P.S-PATAHI, DISTRICT-EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli, Sr. Advovate Mr. Prince Kumar Mishra
For the Opposite Party/s	:	Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-02-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Mrigank Mauli, learned Senior Advocate assisted by Mr. Prince Kumar Mishra and learned counsel for the informant as well as learned Additional Public Prosecutor for the State through video conferencing.

The petitioner apprehends his arrest in connection with Patahi P.S. Case No. 09/2021 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

It has been submitted on the basis of the call records and other records on behalf of the petitioner that the petitioner was not present at the spot and the informant also did not know



about the death of the deceased initially. On the date of the occurrence, the petitioner and the informant had talked twice and, thereafter, the petitioner was informed that the deceased was killed. The petitioner being a journalist has recorded the incidence after death of the deceased and had uploaded it on the media. During the investigation also his role has been found doubtful in the occurrence by the senior police officers.

Considered the submissions of the parties.

It is clear that the F.I.R. has been registered on the next day of the occurrence and there is no plausible explanation for the delay.

I have gone through the transcripts of the call recording between the petitioner and the informant annexed as Annexure P/3 series.

Considering the entire submissions and the materials available on record and also considering the fact that the petitioner is a responsible citizen and he will not abscond or tamper with the evidence, the present anticipatory bail application is allowed.

Accordingly, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of ten weeks from today, on



furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, VIII, East Champaran, in connection with Patahi P.S. Case No. 09/2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Petitioner is directed to join the investigation and co-operate with the investigating agency.

(Sandeep Kumar, J)

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