

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39052 of 2022

Arising Out of PS. Case No.-359 Year-2021 Thana- GORAUL District- Vaishali

SURENDER RAM S/O SRI RAMCHANDRA RAM Resident of Village-
Mansoorpur Haliya, P.S.- Goraul , District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2022 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 Section 365 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that his son Amar Kumar @ Munna was living with his relative Ram Chandra Ram of village Mansoorpur for the last few days, on 09.09.2021 at about 12 noon his son left Mansoorpur for his house Bakarpur but he did not reach his home, thereafter a search was made but the victim could not be located and on account of search, there was a delay in instituting the F.I.R.



Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that informant alleges that his son was staying with his relative Ram Chandra Ram at village Mansoorpur for the last few days and on 09.09.2021, he left for his village but he did not reach, it is next submitted that the F.I.R. does not even remotely raise any suspicion against the petitioner or his family member. Learned counsel further submits that F.I.R. is against unknown and if the son was missing since 09.09.2021, then why the F.I.R. came to be instituted on 13.09.2021 i.e., after a delay of four days, it is further submitted that during the course of investigation the informant raised suspicion against the petitioner after the dead body was recovered, that he might have killed his son, it is next submitted that the deceased was working with Ram Chandra Ram (father of the petitioner) who was a village doctor and since deceased was in habit of drinking as such the same was objected and he was removed from his job and thereafter was asked to leave the house and thereafter deceased left the house on 09.09.2021. Learned counsel next submitted that during the course of investigation also a suspicion was raised that the deceased was having relationship with the daughter of the petitioner on account of which the



present occurrence took place, learned counsel submits that admittedly petitioner is not named in the F.I.R. secondly the entire allegation hinges around suspicion and petitioner is a teacher.

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 Goraul P.S. Case No. 359 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The present order of anticipatory bail shall continue till filing of the charge-sheet, in the event if charge-sheet is submitted, the present order shall lose its effect.

(Satyavrat Verma, J)

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