

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50699 of 2021

Arising Out of PS. Case No.-337 Year-2020 Thana- TEGHRHA District- Begusarai

AMRESH CHAURASIA@ Amresh Kumar S/o Sri Bhola Chaurasia R/o
Village- Barauni-3, Ward No. -1, P.S.- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Binode Barias, Adv
	:	Mr. Rananjay Kumar, Adv
For the Opposite Party/s	:	Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 11-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 364 of the Indian Penal Code and subsequently chargesheet has been submitted under Sections 302 201, 120(B), 34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant alleges that her husband (deceased) was abducted from Teghra Goshala Parishar by accused Amresh Chaurasia along with his 4-5 companions on 04.11.2020. Next day morning, a call was



received from mobile no.8757736805 on mobile no.6206064327 and the caller Amresh Chaurasia said that he has murdered her husband and has thrown his body. It is further alleged that the reason for the occurrence was that the deceased was having illicit relationship with the wife of Amresh Chaurasia.

Learned senior counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the name of the petitioner has been transpired only on the basis of suspicion. He further submits that there is no eye witness of the alleged occurrence and during investigation, except confessional statement of the petitioner, nothing has come against the petitioner. He further submits that co-accused, namely, Ashwani Kumar @ Kanhaiya Kumar @ Ashwani @ Kanhaiya and another have been granted bail by this Court vide order dated 22.02.2022 in Cr. Misc. No. 35463 of 2021 and analogous case and co-accused namely Sandeep Kumar has also been granted bail vide order dated 24.02.2022 in Cr. Misc. No. 32296 of 2021 by a Coordinate Bench of this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 17.11.2020.

Learned A.P.P. for the State has opposed the prayer for



bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Teghra P.S.Case No. 337 of 2020 , with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of



verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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