

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43682 of 2022**

Arising Out of PS. Case No.-298 Year-2021 Thana- SIWAN CITY District- Siwan

=====

Ankit Kumar @ Mayank S/O Amarnath Gupta @ Pappu R/o Village-  
Fathepur, P.S.- Siwan Town, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP.

=====

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      24-11-2022                      The learned counsel for the petitioner is directed to  
  
remove all the defects pointed out by the Stamp Reporter within  
  
one month.

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

Petitioner seeks regular bail in connection with Nagar  
(Siwan Town) P.S. Case No. 298 of 2021 registered for the  
offences punishable under Sections 302 and 201/34 of the  
Indian Penal Code.

As per the prosecution, the informant acting upon an  
information recovered a decomposed dead body from the  
alleged place.

The main submissions advanced by learned counsel  
Mr. Ajay Kumar Pandey appearing for the petitioner are that the



FIR was lodged against unknown persons and the petitioner's name surfaced in the statement of two co-accused persons namely Sonu Chaudhari @ Pintu and Umesh @ Tikar @ Umesh Sah, who were allegedly found to be involved in the alleged murder have been granted bail by a co-ordinate Bench of this court vide orders passed in Cr. Misc. Nos. 71941 of 2021 and 7927 of 2022 and there is no eye-witness of the alleged crime and mainly on the basis of suspicion and confessional statement of the co-accused persons the petitioner was dragged in this case and against him there is criminal antecedent of one case in which he is on bail.

Learned APP Mr. Ram Sevak Choudhary appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and the order impugned. The FIR was lodged against unknown persons and the order passed by the learned court below goes to show that the petitioner's name surfaced in the alleged crime in the statement of co-accused persons and as per the learned counsel for the petitioner the investigation has been completed against the petitioner and at this stage the prosecution is mainly relying upon the statement of co-accused persons given before the police in respect of the petitioner's involvement in the alleged



crime. Considering these facts and also the fact that two co-accused persons are on bail granted by a co-ordinate Bench of this Court, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Nagar (Siwan Town) P.S. Case No. 298 of 2021.

**(Shailendra Singh, J)**

annu/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

