

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70317 of 2022

Arising Out of PS. Case No.-252 Year-2022 Thana- CHHATAUNI District- East Champaran

SHATRUGHAN SINGH @ SHATRUDHAN SINGH Son of Druv Singh
R/v- Jhakhra, P.S.- Govindganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 302 and 201/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that his brother was in love with
the daughter of the petitioner, namely, Saloni Kumari. It is further
alleged that his brother along with Saloni eloped and went to
Narkatiyaganj but the informant recovered the daughter of the
petitioner and handed over her to him but thereafter Saloni Kumari
telephonically informed the brother of the informant that her



family members are planning to commit her murder. It is further alleged that brother of the informant sent an audio message on mobile of Nehal Kumar, son of this petitioner saying that if any mishap takes place with Saloni Kumari he will take action thereafter it is alleged that on 25.04.2022 in the night all the FIR named accused persons kidnapped the brother of the informant and committed his murder and threw the dead body on the railway line.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that the date of occurrence is 25.04.2022 thereafter the father of the deceased had instituted an U.D. case on 26.04.2022 wherein he has stated that the deceased died on account of fall from the train. It is next submitted that thereafter the present FIR came to be instituted on 05.05.2022 i.e. after a delay of nearly ten days alleging that the accused persons including the petitioner killed the brother of the informant. It is also submitted that the present FIR has been instituted by way of afterthought as the father of the deceased earlier had instituted an U.D. case as aforesaid. It is further submitted that petitioner will not evade the law rather will cooperate in the investigation and will present himself as and when required by the investigating officer so that the truth comes out.



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 Chhatauni P.S. Case No. 252 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not appearing when called, the learned trial court after giving an opportunity of hearing to the petitioner shall pass order in accordance with law and shall have liberty to cancel the bail bonds of the petitioner.

The learned trial court is directed to send a copy of this order to the concerned police station.

(Satyavrat Verma, J)

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