

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16780 of 2023

Arising Out of PS. Case No.-448 Year-2020 Thana- MAJHAULIA District- West Champaran

Ankit Srivastava @ Ankit Raj @ Aryan Raj Son Of Lal Babu Srivastava R/O
Village- Banuhapar, P.S.- Bettiah Muffasil (Banuchhapar O.P.), District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam, Advocate.
Mr. Umesh Kumar Gupta, Advocate.
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-03-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Abhijeet Gautam, learned counsel for the
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Majhauria P.S. Case No. 448 of 2020,
registered for the offences punishable under Sections 302,
120B/34 of the Indian Penal Code.

The Petitioner has renewed his prayer for bail in
pursuant to the liberty granted by this Court in Cr. Misc.
No.54053 of 2021 vide order dated 29.08.2022.

Earlier the prayer for bail to the petitioner was



rejected after taking into account that during the course of investigation it has come that the dead body of the deceased was disposed of by using the Creta SUV vehicle of the petitioner wherein the blood stains was also found and further he in order to conceal the crime and screen the offenders, removed the number plate of the vehicle. However, having taken note of there is no eyewitness to the alleged occurrence and other co-accused, having identical allegation has been allowed privilege of bail, liberty was granted to renew his prayer for bail after four months.

Learned counsel appearing on behalf of the petitioner submits that save and except the suspicion there is no cogent material against the petitioner, apart from the fact that all other co-accused persons named in the FIR have been allowed privilege of bail by different Co-ordinate Benches of this Court.

On the other hand learned APP for the State vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and taking into account the observation made by this Court as also the fact that other co-accused persons have been allowed privilege of bail, the copies of which have been annexed as Annexures-3 and 4 series to this bail application, let



the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-Vth, Bettiah, West Champaran, in connection with Majhaulia P.S. Case No. 448 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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