

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28383 of 2023

Arising Out of PS. Case No.-45 Year-2022 Thana- KOPA District- Saran

ANUP SAH Son of Mewalal Sah Resident of Village - Piano, P.S. - Kopa,
Distt. - Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
03.03.2023 in connection with Kopa P.S. Case No. 45 of 2022,
F.I.R. dated 13.03.2022 for the offences punishable under
Sections 341, 323, 498(A), 304(B), 201, 120(B)/34 of the Indian
Penal Code.

3. According to prosecution case, the informant Lallan
Sah alleging therein that ten accused persons including the
petitioner alleging that he got married his daughter Sangeet
Devi with petitioner Anup Sah on 25.06.2020. After marriage
the accused persons started torturing her for dowry due to which
she fled away to her paternal house twice but the informant and
his family members after convincing sent her back to her



matrimonial house. On 11.03.2022 his daughter called him on mobile phone. She was weeping and stated to come otherwise the accused persons would kill her. On this wife and daughter of the informant went there where family members and relatives of accused persons killed the daughter of the informant and putting the body in a bag threw the same in an orchard at roadside. On information by the villagers the informant and others went there and with the help of police the dead body was recovered.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that the petitioner is husband of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and petitioner has not committed any offence as alleged in the F.I.R. in fact on the date of occurrence some callers with the family members of the deceased and she has fled away from the house of the petitioner and she has committed suicide by train and the postmortem report also support that she has committed suicide by Train. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 03.03.2023.

5. The learned Additional Public Prosecutor for the



State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 the learned Judicial Magistrate, 1st Class, Chapra, Saran in connection with Kopa P.S. Case No. 45 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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)

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