

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50842 of 2022

Arising Out of PS. Case No.-43 Year-2022 Thana- KHAIRA District- Saran

=====

Amit Kumar @ Amit Mahto Son Of Birendra Singh Resident Of Village -
Arwa Kothi, P.S.- Khaira, Nagar (O.P.), District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Rajendra Prasad Nat

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects, if any, within three weeks.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 304(B),
120(B), 34 of the Indian Penal Code.

Petitioner is said to have committed murder of the
daughter of the informant and threw her dead body in the river.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that the petitioner is the husband of the
deceased. He submits that there is no specific overt act against
the petitioner. He submits that there is general and omnibus
allegation levelled against the petitioner. He submits that



occurrence took place on 14.09.2021 but the FIR has been lodged on 02.02.2022 after delay of 4 months and 18 days without explaining any reasonable cause of delay. He submits that the deceased was pregnant and during the pregnancy, she was suffering from anemia. She was treated by Dr. B.K. Yadav, Khushi Health Care Centre, Siwan on 08.09.2021 and in Baba Sewa Sadan, Nagra, Chapra on 12.09.2021 and from there, she was referred to higher centre for needful treatment. Thereafter, she was treated in Sadar Hospital, Chapra on 14.09.2021 where she died due to her illness and abortion. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five 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 Khaira (Nagra O.P.) P.S. Case No. 43 of



2022, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

