

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63395 of 2022

Arising Out of PS. Case No.-227 Year-2021 Thana- OBRA District- Aurangabad

ANISH KUMAR @ ANISH KUMAR VERMA SON OF NARESH MEHTA
R/O VILLAGE- PIRAUTA, P.S.- FESHAR, DISTRICT- AURANGABAD,
BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 02-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Obra
P.S. Case No. 227 of 2021 dated 15.09.2021 registered for the
offence under Sections 302, 201 and 34 of the Indian Penal
Code.

As per the prosecution case, the informant alleges
that the petitioner along with other accused have committed
murder of her husband and thrown his dead body in the
punpun river.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He



further submits that the petitioner has not been named in the F.I.R., however, his name transpired in this case on the basis of confessional statement of the co-accused, Shiv Pujan Mehta during course of investigation. Save and except the confessional statement of the co-accused, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. Moreover, the co-accused, namely, Shivpujan Mehta and Duryodhan Paswan have already been granted bail by a co-ordinate Bench of this Court vide order dated 20.09.2022 and 02.08.2022 passed in Cr. Misc. No. 24441 of 2022 and Cr. Misc. No. 21088 of 2022, respectively. The petitioner is rotting in judicial custody since 22.08.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned S.D.J.M., Daud Nagar, Aurangabad in connection with Obra P.S. Case No. 227 of 2021 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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)

brajesh/-

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

