

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66977 of 2024

Arising Out of PS. Case No.-188 Year-2021 Thana- BHAGWANPUR District- Vaishali

Amritesh Kumar Son of Arun Kumar Resident of Village - Prataptand, P.S.-
Bhagwanpur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-10-2024 1. Heard learned counsel for the petitioner and Mr. Chandra Bhushan Prasad learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Sections 120(B), 302 and 201 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner is in custody since 28.05.2024 and is a person with clean antecedent.
4. The informant alleges that he received an information that dead body of a boy and a girl is floating in a pond, accordingly, he reached the place of occurrence, took out the dead bodies and the dead bodies were identified as that of Raunak Kumar Patel and Sima Kumari. It is further alleged that hand of both the dead bodies were tied by a Dupatta and the crowd which had gathered at the place of occurrence were



discussing that the deceased were in love and wanted to marry but their family members were opposing, further alleges that after the body was recovered none of the family members either of the deceased showed any interest in identifying the dead body. It is next alleged that on the dead body mark of injuries was found and thus alleges that they were killed by their relatives.

5. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that it is a case of honour killing as family of Raunak Kumar Patel and Sima Kumari were opposing their love and marriage. It is further submitted that FIR was instituted against unknown but then during the course of investigation Devendra Paswan was apprehended who is father of Sima Kumari and he confessed his guilt in his confessional statement and also named the petitioner who is cousin of Sima Kumari. It is next submitted that even Ravi who was arrested during course of investigation named this petitioner. It is also submitted that Devendra Paswan and Anr. had moved this Court seeking regular bail by filing Cr. Misc. No. 34 of 2022 and the same was allowed by a learned Coordinate Bench of this Court by an order dated 07.12.2022 and Ravi Kumar also moved this Court



seeking regular bail by filing Cr. Misc. No. 101 of 2022 and the same was also allowed by a learned Coordinate Bench of this Court by an order dated 07.12.2022. It is submitted that since the co-accused, in whose confession the name of the petitioner transpired, have been granted the privilege of regular bail as such the petitioner based on parity be also granted the said privilege. It is further submitted that petitioner had moved this Court earlier seeking anticipatory bail by filing Cr. Misc. No. 72042 of 2021 and the same came to be rejected by this Court by an order dated 02.08.2022 as such the instant regular bail application is a tied up matter. It is next submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

6. Mr. Chandra Bhushan Prasad learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

7. Considering the submissions and the fact that co-accused have been granted the privilege of regular bail, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in



connection with Bhagwanpur P.S. Case No. 188 of 2021.

8. One of the bailors of the petitioner shall be his uncle, namely, Anil Kumar.

9. It is made clear that if the learned trial court comes to a conclusion that petitioner, after his release on bail, is trying to delay the trial of the case in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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