

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7799 of 2025

Arising Out of PS. Case No.-322 Year-2023 Thana- BAIRIYA District- West Champaran

Tapan Sah Son of Late Jagli Sah @ Jagdi Sah, Resident of Village - Ward
No.2, Laukariya, Police Station - Laukariya, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bairiya P.S. Case No. 322 of 2023, dated 07.11.2023, in a case registered for the offences punishable under Section 302 and 201 of the Indian Penal Code.

3. As per the prosecution case, one Tuntun Sah kidnapped the daughter of the informant in the year 2019 and solemnized marriage with her. It is further alleged that on 24.10.2023 the informant received information that his daughter had been killed and the dead body had been disposed of and informant suspects that Tuntun Sah and other co-accused persons have killed his daughter.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case merely on the basis of suspicion. The petitioner is not named in the FIR and his name transpired during the course of investigation. The petitioner is the agnate of the husband of the deceased. Neither any money was demanded from the deceased nor any cruelty was committed on the deceased. The petitioner lives separately and has no concern with the deceased and her family life. Husband of the deceased is already in judicial custody. The similarly situated co-accused person namely, Rajesh Sah has been granted regular bail by this Court *vide* order dated 13.05.2024 passed in Cr. Misc. No. 33834 of 2024. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest / surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief



Judicial Magistrate, Bettiah, West Champaran, in connection with **Bairiya P.S. Case No. 322 of 2023**, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, on further condition:

(I) The petitioner is directed to remain physically present before the learned trial Court on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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