

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9994 of 2025

Arising Out of PS. Case No.-363 Year-2024 Thana- BARUN District- Aurangabad

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Bhabhut Singh @ Manoj Singh Son of Late Raminjor Singh Resident of
Village - Riur, P.S. - Barun, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate
		Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s :		Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-05-2025 Learned senior counsel for the petitioner is directed

to make necessary corrections in paragraph no. 7 of the bail

petition during course of the day.

2. Heard Mr. Krishna Pd. Singh, learned senior
counsel for the petitioner and Ms. Rita Verma, learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Barun P.S. Case No. 363 of 2024, F.I.R. dated
16.08.2024 for the offences punishable under Sections 103(1),
238 and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

4. According to prosecution case, due to some earlier
dispute the between the brother of the informant and three
accused persons including this petitioner, the informant suspects



that all the accused persons have killed his brother and threw his body in Deorhi river after tying his hands and legs.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the deceased was missing from 11.08.2024 and the dead body of the deceased was recovered from Deorhi river on 15.08.2024 but the present F.I.R has been lodged on 16.08.2024 only on the basis of suspicion. He further submits that except the aforesaid, no cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the similarly situated co-accused persons, namely, Mantu Kumar and Pawan Kumar whose names have also come on the basis of suspicion have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 29.04.2025 passed in Cr. Misc. No. 83510 of 2024 and Cr. Misc. No. 83221 of 2024 respectively.

6. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, no cogent material has come during investigation to suggest the involvement of the



petitioner in the present occurrence and the similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 363 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. 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.

ii. 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.

iii. 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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