

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50687 of 2025

Arising Out of PS. Case No.-328 Year-2018 Thana- BHELDI District- Saran

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Anil Baitha @ Anil Kumar @ Anil Kumar Chaudhri S/o Badari Baitha
Resident of village - Chak Alahbad, P.S.- Chak Alahbad, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mili Kumari, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2025 Heard the learned Advocate for the petitioner and the

learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bheldi P.S. Case No. 328 of 2018, registered for the offences punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

3. The marriage of the daughter of the informant was solemnized with one Tinku Baitha on 29.06.2018; she was subjected to demand of dowry and on account of non fulfillment of the same, she was done to death by all the family members. It is further alleged that the dead body of the deceased was taken away on the pick up van of the petitioner and finally it was disposed off stealthily.

4. Learned Advocate for the petitioner contended that



the petitioner is neither the family member of the accused persons nor anyhow concerned with the alleged offence, however, only on account of the fact that his pick up van has been used for the purposes of carrying the dead body, his name has been implicated in this case. Since the petitioner has never been served with any summons or the police has visited the house of the petitioner for investigation and, as such, having found no apprehension of his arrest, delay has occurred. Moreover, all the other accused persons, including the husband of the deceased, have been accorded the privilege of either anticipatory bail or regular bail. Even if the allegation is taken to be true, it is the submission of the petitioner that it would only constitute an offence under Section 201 of the Indian Penal Code, which is bailable in nature.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioner has been evading his arrest for the last six years and for this reason alone, he does not deserve the privilege of anticipatory bail.

6. Having considered the submissions set-forth by learned Advocate for the respective parties and the materials available on record, which clearly suggest that even if the



allegation taken to be true, the material against the petitioner constitute only the offence under Section 201 of the IPC, which is bailable in nature. That apart, the impugned order suggest the investigation against the petitioner is still going on, besides the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Chapra, Saran in connection with Bheldi P.S. Case No. 328 of 2018, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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