

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44318 of 2014

Arising Out of PS.Case No. -1545 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

=====

Kanhaiya Jha Son of Sadan Jha Resident of Village-Akaur, P.S.-Benipatti,
District-Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Yugal Kishore
For the Informant : Mr. Arbind Kumar Sinha
For the State : Mr. A.M.P.Mehta(App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 18-05-2015 Heard the parties.

The sole petitioner apprehends his arrest in a case
instituted under Section 302 of the Indian Penal Code.

The facts noticed hereunder persuade this Court to
grant the petitioner the privilege of anticipatory bail. The
informant is closely related to the petitioner. The victim is the son
of the informant. There was 'Sradha' function in the family and
the victim boy fell into the sweet liquid (chasni). This all
happened on 5.2.2013. The victim boy was treated at the Delhi
hospital but subsequently died on 10.2.2013. The First Information
Report was lodged by the mother on 6.7.2013 which was
investigated whereafter the police submitted the final form as

mistake of fact on 31.8.2013. A protest petition was thereafter filed on 24.9.2013. The same was treated as complaint and after making an enquiry thereunder the cognizance was taken on 25.4.2014 which provided apprehension to the petitioner.

In the facts and circumstances of the case, let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Madhubani, in connection with T.R. No. 3236/2014 arising out of C.R.No. 1545/2013 subject to the condition as laid down under Section 438 (2) of the Cr. P.C. with following conditions:-

- (I) One of the bailors shall be the own/close family member of the petitioner.
- (II) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have

liberty to cancel the bail bonds of
the petitioner and secure his arrest in
accordance with law.

(Kishore Kumar Mandal, J)

Shyam/-

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