

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44727 of 2018

Arising Out of PS.Case No. -264 Year- 2016 Thana -GARKHA District- SARAN

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1. Anshu @ Ashutosh Kumar Singh, Son of Harendra Singh, Resident of Village- Korwara, P.S.- Manjhi, District- Saran, At present Resident of Chintamanganj, P.S.- Garkha, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Garkha P.S. Case No. 264/2016, instituted for the offence punishable under Section 304 of the Indian Penal Code.

It is alleged in the written report that petitioner and other accused persons took the son of the informant for swimming. They seated the son of the informant on a tube and took him in the middle of river and fled away leaving the son of informant due to which he died because he was not knowing swimming.

Learned counsel for the petitioner has submitted that there was no any intention on the part of the petitioner to commit such act. It was an accidental death due to drowning. The other co-



accused has already been granted anticipatory bail by a Co-ordinate Bench of this Court vide Cr. Misc. No. 37406/2017 dated 10.08.2017.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Garkha P.S. Case No. 264/2016, he shall be released on anticipatory 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 A.C.J.M. Vth, Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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