

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24625 of 2019

Arising Out of PS. Case No.-367 Year-2018 Thana- ARA NAWADA District- Bhojpur

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SRIKANT @ NAKUL PRASAD Son of Late Sant Velash Prasad Resident of Village- Molabagh, Opposite to S.B. College, P.S.- Ara Nawada, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 27-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Ara Nawada P.S. Case N0. 367 of 2018, disclosing offences under Sections 341,323,324,307,302/34 of the Indian Penal Code.

From the First Information Report, it appears that over some dispute between the two families, they had quarreled and some of the members of the informant's family had received injuries, who were being taken to Hospital for treatment. It is alleged in the First Information Report that when the informant's family members were being taken to Hospital, two accused persons, namely, Deepu Kumar and Manoj Kumar assaulted the informant's husband with a *dagger* leading to his death.



Learned Senior counsel appearing on behalf of the petitioner has submitted that no offence under Section 302 of the Indian Penal Code can be said to be made out against this petitioner and there is no specific allegation of assault against him.

Learned counsel for the informant has opposed the prayer for anticipatory bail.

However, considering the facts and circumstances and particularly the fact that there is no specific assault against the petitioner leading to death of the deceased, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, 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, Ara at Bhojpur in Nawada P.S. Case No. 367 of 2018 (G.R. No. 2404/2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to



appear before the Court on two consecutive occasions, his bail
bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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