

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33796 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

SHYAM MANDAL Son of Late Bhaso Mandal Resident of Village -
Bariyarpur, P.S.- Piribazar, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Piribazar Police Station Case No. 20 of 2019, disclosing
offences under Section 302 of the Indian Penal Code.

The allegation against the petitioner is that he pushed
the father of the informant, by which he fell down and when the
informant and other family members reached at the place of
occurrence, they saw that the father of the informant was
unconscious and when he was being taken to the hospital for
treatment, he died on the way.

Learned Counsel for the petitioner submits that the
petitioner is innocent and has not committed any offence in the
manner alleged. He submits that even upon perusal of the First



Information Report, the only allegation against the petitioner is that he pushed the father of the informant, who died on the way when he was being taken to the hospital for treatment. Referring to Annexure-2, *post-mortem* examination report, he submits that there was no sign of any external injury on the body of the deceased and the doctor has opined the cause of death as cardio-respiratory arrest.

After having heard learned Counsel for the parties and taking into consideration the fact that the *post-mortem* examination report does not disclose any external injury and further cause of death is found to be cardio-respiratory arrest, I am inclined to grant the petitioner privilege of anticipatory bail.

Accordingly, this application is allowed.

Let the petitioner, Shyam Mandal, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Sub Divisional Judicial Magistrate, Lakhisarai, in connection with Piribazar Police Station Case No. 20 of 2019, subject to the condition 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
bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

U	√	T	√
---	---	---	---

