

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38656 of 2019**

Arising Out of P.S. Case No.-435 Year-2018 Thana- GAURICHAK District- Patna

PINTU KUMAR, aged about 28 years, Gender-Male, Son of Late Ram Babu Singh Resident of Village-Satauli, Police Station-Gaurichak, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bhola Kumar, Advocate

For the Opposite Party : Mr. Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 11-09-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State and perused the case diary.

The petitioner is apprehending his arrest in connection with Gaurichak P.S.Case No.435 of 2018 registered for the offence punishable under Section 302 of the Indian Penal Code.

From perusal of the FIR, it appears that this petitioner came to the house of the informant and took away his brother Subodh Kumar, deceased on 21.11.2018 saying that he will bring back his brother after an hour. When his brother did not return till 10-11 P.M. the informant tried to contact the petitioner through phone, but he was unable to connect with the phone. It is further alleged that on 22.11.2018, the cousin brother of the



informant informed that Subodh Kumar had been killed by the accused persons. It is further alleged that there was a dispute with regard to payment of salary as the deceased used to drive the van of the petitioner.

It is submitted on behalf of the petitioner that the petitioner has falsely been implicated in this case. It is further submitted that save and except suspicion, there is no incriminating material against the petitioner. There is general and omnibus allegation against the petitioner. Moreover, there is no eye witness to the alleged occurrence. Petitioner has got clean antecedent. It is further submitted that paragraph nos.65 and 66 of the case diary goes to show that the deceased died due to an accident.

Considering the facts aforesaid, let the petitioner above named, in the event of her arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City/successor Court in connection with Gaurichak P.S.Case No.435 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

B.Kr./-

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

