

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71236 of 2019

Arising Out of PS. Case No.-274 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

Chhotu Kumar @Chhotoo Kumar Son of Pappu Kewat Resident of Village-
Tehta Mallah Toli, Police Station- Makhdumpur, District- Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Jay Prakash Singh
For the Opposite Party : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioner and the
learned APP for State.

Petitioner apprehend his arrest in connection with
Makhdumpur (Tehta O.P.) P.S. Case No. 274 of 2019
instituted for the offence under Section(s) 302 and 120B/34
of the Indian Penal Code.

Referring to the allegation made in the F.I.R., the
counsel for petitioner submits that in respect of the offence
U/s 302 of the I.P.C. there is no allegation against the
petitioner. It is only, thereafter, that he is alleged to have
facilitated or colluded in lodging of the U.D. case no. 13 of
2018 on 02.12.2018. The allegation of causing death of the
victim is against other co-accused persons.

The petitioner has no criminal antecedent as per
averments made in para 3 of the petition.

On going through the FIR, the learned APP is also not



in a position to point out that there is any allegation of causing death attributed to the petitioner.

Considering the rival submissions of the parties, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner before the court below, named above, within four (04) weeks from today, 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 **S.D.J.M. Jehanabad**, in connection with **Makhdumpur (Tehta O.P.) P.S. Case No. 274 of 2019**, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fail to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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