

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.24838 of 2020

Arising Out of PS. Case No.-207 Year-2019 Thana- CHAND District- Kaimur (Bhabua)

Ritu Chaubey @ Rintu Chaubey Son of Sri Kapildeo @ Kapildeo Chaubey
Resident of Village - Maldah, Maldah, Post - Bentiyari, P.S. - Iliya, District -
Chandauli, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-01-2021 Heard learned counsel for the petitioner and
learned APP for the State.

The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Chand P.S. Case No.207 of 2019, registered
under sections 302, 201 and 34 of the Indian Penal Code.

As per allegation in the F.I.R., the husband of the
informant proceeded with the petitioner herein and did not
return. Subsequently, his dead body was discovered. A suspicion
has been raised against one Manaur Ali with whom there was
land dispute.

It is submitted by learned counsel for the petitioner
that except for an unfounded suspicion having been raised, there
is no other material against this petitioner. At best it is a case of
last seen. Further referring to the statement of the brother and
daughter of the deceased it is submitted that in the statement



under section 164 Cr.P.C. they stated that the husband of the informant died as a result of electrocution. This fact has also been confirmed from the postmortem report. It was a case of accidental death. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the statement of the brother and daughter of the deceased under section 164 Cr.P.C., this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Chand P.S. Case No.207 of 2019, he will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IVth, Kaimur at Bhabua subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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