

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21111 of 2022

In
CRIMINAL MISCELLANEOUS No.34577 of 2021

Arising Out of PS. Case No.-223 Year-2020 Thana- SONBERSA District- Sitamarhi

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RAVINDRA MAHTO@PRAVEEN KUMAR Son of Romlochan Mahto
Resident of Village - Rohua, P.s.- Sonebarsa, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 27-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Though earlier an application for bail of the petitioner has been dismissed vide order dated 15.02.2022 on the ground that he has suppressed the criminal history, but learned counsel for the petitioner submits that the petitioner was acquitted in that case and, therefore, it should be not treated as his criminal antecedent.

In the opinion of this Court also when a person has been acquitted that case should not be treated as a part of his antecedent.

The allegation against the petitioner is that he pushed the



deceased and, thereafter, she was taken to the doctor and the doctor declared her brought dead. In the postmortem report no external injury has been found. It has come in the postmortem report that she has died because of heart failure as she has a defective valve.

It has been submitted by learned counsel for the petitioner that this is not a case of Section 302 I.P.C as it has not been alleged that the petitioner has knowledge about the medical condition of the deceased and he also submits that the sole act of pushing the deceased by the petitioner is an offence under Section 323 of the I.P.C.

Considering the facts and circumstances of the case, the present application for grant of anticipatory bail is allowed.

Accordingly, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Sonebarsa P.S. Case No. 223 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The observation made in this order is only for the



purpose of granting anticipatory bail and the benefit should not
be taken in the trial.

(Sandeep Kumar, J)

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