

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3065 of 2023

Arising Out of PS. Case No.-56 Year-2020 Thana- BATH District- Bhagalpur

SANTU DAS S/O GANGA DAS Resident of village- Kumaitha Dastola,
P.S.- Bath, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mrs.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 302 of the Indian Penal
Code.

As per the prosecution case, 11 named accused
persons including this petitioner assaulted the husband of
informant who subsequently died. This information was given
by the brother-in-law of the informant to her.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is further submitted that informant is not an eye witness
of the occurrence and she came to know about the occurrence
through her Devar who, in his statement, stated that at the time
of occurrence he was in Kolkata and he was informed about the



occurrence by the villagers. The post mortem report does not support the allegation made in the FIR. Even as per FIR allegations are general and omnibus. Similarly situated accused Ravi Kumar and Rekha Devi have already been granted pre arrest bail by a co-ordinate Bench of this court vide order dated 27.03.2023 passed in Cr. Misc. No. 3756/ 2023. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-XIII, Bhagalpur in connection with Bath PS case No. 56/ 2020, subject to conditions laid down u/s 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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