

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49584 of 2023

Arising Out of PS. Case No.-114 Year-2022 Thana- KALER District- Jehanabad

=====

RANDHIR KUMAR S/O SHIVDAYAL SINGH R/O VILLAGE- GIRWAR
BIGHA, PS. KALER AND DIST. ARWAL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-08-2023 As prayed for, learned counsel for the petitioner is permitted to make necessary correction in the first paragraph of this anticipatory bail application with regard to the insertion of Section 302 IPC.

2. Heard Mr. Shekhar Kumar Singh, learned counsel for the petitioner and Pawan Kumar Chaurasia, learned Additional Public Prosecutor for the State.

3. Petitioner apprehends his arrest in connection with Kaler PS Case No. 114/2022 dated 16.12.2022 registered for the offence punishable under Sections 341, 323, 307/34 of the IPC.

4. As per FIR on 14.12.2022 at 1:30 PM while informant's son, namely, Nirbhay Kumar was taking meal in his veranda, the petitioner along with other accused persons arrived there and started assaulting him on the ground of some money



dispute and on the noise being raised by him, father-in-law of the informant intervened in the matter during course of which the petitioner assaulted her father-in-law by means of *Lathi* on his head due to which he sustained injury and subsequently, died.

5. Learned counsel for the petitioner submits that both the parties are agnates and there was some dispute of money between them. He next submits that the postmortem report of the deceased does not corroborate the allegation made in the FIR inasmuch as no apparent external serious injury has been found on the external examination of the body of deceased and only abrasion on the right forehead of the size of 2" x 1/3" x 1/4" approx has been found. He further submits that the doctor has opined the cause of death due to medical illness likely due to myocardial infraction.

6. Regards being had to the submissions made by the parties, taking into consideration the cause of death opined by the doctor, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, let the petitioner, named above, in the event of arrest or surrender within four weeks from today, 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 learned Chief Judicial Magistrate,
Arwal in connection with Kaler PS Case No. 114/2022, subject
to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

perwez

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

