

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52570 of 2023

Arising Out of PS. Case No.-228 Year-2022 Thana- GORAUL District- Vaishali

CHANDAN KUMAR S/O MITHILESH RAI @ MITHILESH PASWAN
R/O VILLAGE- KESHRAMA, PS. KUDHANI (FAKULI), DIST.
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 307, 326, 379/34 of the Indian Penal Code. Section 302 IPC was added later on.

3. According to F.I.R., the accused persons kidnapped and assaulted son of the informant and threw him near the forest. Subsequently, son of the informant succumbed to injuries.

4. It is submitted on behalf of the petitioner that petitioner is not named in the F.I.R. Name of the petitioner transpired during course of investigation and the only material that has come against him is that he was also seated in the vehicle at the time of the occurrence. There is no allegation of



overt act against the petitioner and F.I.R. has been lodged after inordinate delay of 5 days.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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- 1st, Vaishali at Hajipur in connection with Goraul P. S. Case No. 228 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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