

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66981 of 2022

Arising Out of PS. Case No.-42 Year-2022 Thana- NAANPUR District- Sitamarhi

PRAGATI PUSHPAK @ SHIVAM KUMAR JHA S/O SRI BABLU
KUMAR JHA @ DIPAK KUMAR JHA Resident of village- Chakauti, Ward
No- 15, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 15-05-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 324, 302/34 of the Indian Penal Code.

As per F.I.R., on the alleged date and time of occurrence, a dispute arose between the parties over unloading bricks, in which, co-accused Bablu Kumar Jha dashed mother of informant on floor, on account of which, she died during course of treatment. This petitioner is alleged to have assaulted the informant by means of lathi.

It is submitted on behalf of petitioner that as per F.I.R. itself, petitioner is not assailant of the deceased. Both parties are agnates and due to land dispute, a simple occurrence of Maarpit took place between the parties. It is further submitted that the alleged occurrence took place on 10.01.2022, whereas, F.I.R.



has been lodged belatedly on 27.01.2022 and there is no explanation of delay. Petitioner is a student and has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned S.D.J.M., Pupri at Sitamarhi in connection with Nanpur P.S. Case No. 42 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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