

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4617 of 2024

Arising Out of PS. Case No.-71 Year-2023 Thana- KARAI PARSURAI District- Nalanda

Gorakh Bind S/O Dularchand Bind Village- Phullipar, Ps. Karai Parsurai,
Dist. Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-04-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 342, 323, 325, 307 and 379 of the Indian Penal Code but subsequently Section 302 of the IPC was added.

3. The learned counsel for the petitioner submits that petitioner is person with clean antecedent. It is next submitted that petitioner had an altercation with the informant as he was indulging in selling of liquor and on account of altercation, both sides assaulted each other and the mother of the informant fell down and became unconscious and during the course of treatment died. It is further submitted that altogether 12 named accused persons have been implicated in the instant case with



general and omnibus allegations. It is also submitted that there is no specific allegation that who assaulted the mother of the informant. It is next submitted that from perusal of the order impugned, it would manifest that the deceased suffered only two injuries as such if twelve accused would have assaulted her whether the deceased would have suffered only two injuries.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that one person has died and in the event if the privilege of anticipatory bail is granted to the petitioner in that event, the petitioner may abscond, on which the learned counsel for the petitioner submits that petitioner will not abscond rather will cooperate in the investigation.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Karai Parsurai P.S. Case No. 71 of 2023, subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

6. However, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this court, is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

7. Let a copy of this order be sent to concerned Police Station through the learned trial court.

(Satyavrat Verma, J)

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