

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11724 of 2024

Arising Out of PS. Case No.-76 Year-2022 Thana- IMAMGANJ District- Gaya

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JAINANDAN DAS Son of Balgovind Das @ Ramgovind Resident of
Village-Sangrampur, P.S.-Imamganj, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Paras Nath, Advocate

For the State : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-02-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code.

3. As per prosecution case, on 29.05.2022, some unknown persons have killed the son of the informant and thrown his body in front of her house.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner is not named in the F.I.R.. During course of investigation, after lapse of one month of the occurrence, the informant, in her statement recorded under Section 164 Cr.P.C., has stated that on the alleged date of occurrence, at around 12 o'clock in the night, this petitioner,



along with other accused persons, came to her house and assaulted the son of the informant with lathi on the orders of one Gajendra Das, on account of which the son of the informant died. It is further submitted that at the time of lodging of the F.I.R., the informant has not named the accused persons and F.I.R. was lodged against unknown but at a later stage, she claim to be an eye witness of the alleged occurrence, which is doubtful. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, clean antecedents and the fact that the informant has named this petitioner as an accused in her statement recorded under Section 164 Cr.P.C. after lapse of one month, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, 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 J.M.1st Class, Sherghati, Gaya, in connection with Imamganj P.S. Case No.76 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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