

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33945 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- GAURICHAK District- Patna

Chintu Kumar, Son Of Sachit Prasad @ Satish Prasad, Village- Bishambhar
Tola Ps -Gourichak District -Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Anil Kumar

Mr.Sanjay Kumar

Mr.Pramendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 15-05-2024 1. Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 302 of the Indian Penal Code.
3. The learned counsel for the petitioner submits
that the petitioner has antecedent of one case and is a
young boy aged about 22 years. It is further submitted that
informant alleges that his brother Rahul Kumar on
10.03.2024 at 7.30 A.M. came and informed that their
father was lying in the *Dalan*. Accordingly, the informant
along with others went to the place of occurrence and saw



the injured body of his father with signs of assault. Further, the villagers after examining the body, informed that the father has died and thus, alleges that based on suspicion that petitioner used to stay with his father and after the occurrence, he has absconded and also gave details of his mobile number and thus, based on suspicion, it is alleged that the petitioner committed the occurrence of killing his father.

4. The learned counsel for the petitioner submits that the entire allegation hinges around suspicion. It is next submitted that neither the informant, nor his brother, nor during the course of investigation, it has come that anyone had seen the occurrence being committed. It is further submitted that the informant does not disclose in the F.I.R. that as to why this petitioner was staying with his father all the time. It is also submitted that the occurrence took place on 10.03.2024 and the F.I.R. came to be instituted on 11.03.2024 after the dead body was cremated. It is reiterated and submitted that there are no eye witness to the occurrence and the entire allegation hinges around suspicion.



5. Learned A.P.P. along with learned counsel for the informant opposes the anticipatory bail application and submits that at least a suspicion has been raised against the petitioner and thus, the police is required to investigate, but in the event, if anticipatory bail is granted to the petitioner in that event, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation.

6. 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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Patna City, Patna in connection with Gourichak P. S. Case No.114 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.



8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned police station through the learned trial Court.

(Satyavrat Verma, J)

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