

Arising Out of PS. Case No.-46 Year-2024 Thana- PARANDABAR District- Nawada

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Naresh Kumar Sinha @ Naresh Prasad Yadav Son of Late Mito Prasad Yadav
Resident of Village- Laxmibigha, P.S.- Parnadabar, District -Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State Of Bihar The Advocate General of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-08-2024 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 307 and 302 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that petitioner came on 17.02.2024 and forcibly took her husband on his motorcycle, despite informant opposing him, it is next alleged that later the informant came to know that her husband was lying in an unconscious state near *Tikha More* bus stand, further her husband is on ventilator at IGIMS, Patna.

4. Learned counsel for the petitioner submits that



husband of the informant during the course of treatment died and the petitioner came to be implicated in the instant case based on suspicion. It is fairly submitted that petitioner does not dispute the allegation that husband of the informant had accompanied him, but then it is submitted that deceased was a bike mechanic and he had repaired the bike of the petitioner and thereafter both of them had gone on a test drive and petitioner was sitting behind the deceased when the bike met with an accident. It is also submitted that even petitioner suffered right toe fracture for which he was admitted at Jeevan Deep Hospital, Gaya as would manifest from *Annexure-2* to the anticipatory bail application. It is also submitted that petitioner will not abscond rather will co-operate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 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 Parnadabar P.S.
Case No. 46 of 2024 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the
Investigating Officer of the case files an application before the
learned Trial Court bringing to its notice that petitioner despite
giving assurance to this Court is not co-operating in the
investigation or is not presenting himself as and when required
in that event the learned Trial Court shall be at liberty to
forthwith cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned
P.S. through the learned Trial Court.

**9. Accordingly, the instant anticipatory bail
application stands allowed.**

(Satyavrat Verma, J)

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