

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35598 of 2024

Arising Out of PS. Case No.-1116 Year-2023 Thana- MADHEPURA District- Madhepura

Kunal Kumar @ Kunal Kumar Ram SON OF DINSH RAM RESIDENT OF
VILLAGE- NADHI, WARD NO.2, P.S. - MADHEPURA (BHARRAHI
O.P.), DISTRICT MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-07-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 302 and 34 of the IPC in connection with Madhepura
(Bharrahi) P.S. Case No.1116 of 2023.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that her mother went to the house of Dinesh to make
complaints regarding quarrel between the children, when it is
alleged that the accused persons including the petitioner became
furious and brutally assaulted her with lathi, danda, kick and
fist, on account of which she became unconscious and thereafter
she was taken to Sadar Hospital, Madhepura, where she died



during the course of treatment. The learned counsel submits that the allegation of assault is general and omnibus in nature. It is also submitted that the informant is not an eye witness to the occurrence. It is next submitted that petitioner will not abscond rather will cooperate in the investigation.

4. The learned APP opposes the anticipatory bail application.

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 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 Chief Judicial Magistrate, Madhepura in connection with Madhepura (Bharrahi) P.S. Case No.1116 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. 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 cooperating in the investigation, in that event, the learned trial court shall be at



liberty to cancel the bail bond of the petitioner.

7. It is further made clear that, in the event, if the police after investigation files a charge sheet connecting the petitioner with the offence, in that event the present anticipatory bail order shall loose its effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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