

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38749 of 2024

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

Ashish Kumar @ Ashish Kumar Ranjan S/o Dinsh Ram RESIDENT OF
NADHI, WARD NO. 2, PS MADHEPURA, DISTRICT MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-08-2024 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 302 and 34 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 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 Kunal 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, Medhepura where she died during the course of treatment.



4. Learned counsel for the petitioner submits that allegation of assault is general and omnibus in nature. It is also submitted that informant is not an eye witness to the occurrence. It is next 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 Madhepura (Bharrahi) P.S. Case No. 1116 of 2023 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 after recording reasons.

8. It is further made clear that in the event if police after investigation submits charge sheet connecting the petitioner with the offence in that event the present anticipatory bail order shall lose its effect.

9. Accordingly, the present anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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