

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59113 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- DIDARGANJ District- Patna

Kunal Kumar Son of Baiju Singh Resident of Village-Mahuli, Police station-
Didarganj, Dist. - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad
For the Opposite Party/s : Mr. Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-10-2024 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, 302
of the Indian Penal Code & Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 12.03.2024 at 5.00 A.M. in the morning her son
went down stairs after having tea on the terrace, when her
father-in-law raised an alarm, accordingly, the informant along
with other came down stairs and saw her son lying on the floor
with profuse bleeding from his head. It is next alleged that on
11.03.2024 her son had a quarrel with the petitioner and on
account of said quarrel her son was assaulted and his mobile



snatched and in the morning she saw the petitioner roaming near her house.

4. The learned counsel submits that petitioner has been falsely implicated in the instant case by the informant based on suspicion. It is next submitted that informant is not an eyewitness to the occurrence nor the occurrence was witnessed by any of the family members of the deceased. It is also submitted that on account of suspicion that petitioner had a quarrel with her son, a day before the occurrence, as such, the petitioner came to be implicated with an allegation that informant saw the petitioner roaming around her house in the morning. The learned counsel submits that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five 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 Didarganj P.S. Case No.98/2024, 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 the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

8. It is further made clear that if the charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

9. Let a copy of this order be sent to the concerned P.S. through the learned trial court.

(Satyavrat Verma, J)

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