

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69865 of 2024

Arising Out of PS. Case No.-330 Year-2024 Thana- PIRBAHOR District- Patna

Kundan Kumar S/O Jitendra Kumar @ Jitendra Mandal R/O Village-
Ghoraha, P.S- Goradih, District- Bhagalpur At Presently residing at Rz-
435/405, Gali No.-13, shivpuri Sagarpur, P.S- South West Delhi, District-
South West Delhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Samrendra Jha
For the Opposite Party/s :	Mr. Uday Chand Prasad
	Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2024 Heard learned counsel for the petitioner, learned counsel
for the informant as well as learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 302, 120B, 34 of the
Indian Penal Code.

3. As per the FIR, the petitioner called the son of the
informant for giving work of labourer in C.K. construction
company and accordingly, his son went to Patna and started
doing work of fixing stone on the wall. He was living in a room
of under constructed building with Anupam Kumar and Prahlad
Kumar. It is alleged that the father of the petitioner informed the
informant regarding illness of his son, upon which he came to



Patna and found his son dead in the PMCH hospital. The allegation against the petitioner is that he is involved in the murder of the son of informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. Petitioner is a patty contractor and he used to supply man power to construction company. It is further submitted that from bare perusal of the FIR, it appears that there is no specific overt act against the petitioner. He has been made accused only on the basis of suspicion. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection



with Pirbahore P.S. Case No.330 of 2024, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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