

Arising Out of PS. Case No.-369 Year-2024 Thana- JAGDISHPUR District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shiv Prasad Gupta
For the State	:	Mr. Shyameshwar Dayal
For the Informant	:	Mr. Avinash
		Mr. Ratneshwar Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2025 1. Heard learned counsel for the petitioner, the
learned counsel appearing on behalf of the informant and
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 329(3), 126(2), 115(2), 109, 303(2), 352, 351(2), 351(3) and 3(5) of BNSS.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that she was assaulted by the accused persons including the petitioner causing injury on head. Further, she was admitted in a hospital for



treatment and the accused persons also snatched her chain worth Rs.75,000/- along with money as detailed in the FIR.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that the accused persons intercepted her and asked her as to why she talked rudely with Binda Kumari and thereafter assaulted her. It is next submitted that date of occurrence is 10.10.2024 and the informant, during the course of treatment, died on 16.12.2024 i.e. after more than two months of the occurrence. It is thus submitted that assault was not the proximate cause of death.

5. Learned A.P.P. as well as learned counsel for the informant opposes the anticipatory bail application, but then, are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that allegation of assault is not specific and the informant died after more than two months of the occurrence as such, assault was not the proximate cause of death.

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, 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, Bhojpur at Ara in connection with Jagdishpur P. S. Case No.369 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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