

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47397 of 2014

Arising Out of PS.Case No. -59 Year- 2012 Thana -SANJHAULI District- SASARAM (ROHTAS)

Binod Kumar Son of Late Ram Ekbal Paswan Resident of Village -
Sanjhauli, Police Station - Sanjhauli, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramashray Roy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

2 30-04-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends arrest in Sanjhauli P.S.
Case No. 59 of 2012 dated 14.11.2012 corresponding to G. R. No.
1550 of 2012 instituted under Sections 341/ 342/ 323/ 324/ 307/
337/ 333/ 353/ 504/34 of the Indian Penal Code.

The allegation against the petitioner and 19 others
named as well as 50 unknown is that they had assaulted the police
party when they had gone to apprehend persons who were alleged

to be gambling.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated as he was neither caught at the spot nor could have been identified in a mob which was pelting stones. It is submitted that the petitioner has clean antecedent. Learned counsel draws the attention of the Court to Annexure 2 series, which is copy of order dated 24.12.2013 in Cr. Misc. No. 31216 of 2013, by which a co-ordinate Bench has granted anticipatory bail to a similarly situated co-accused, Ajay Kumar @ Naga Singh and also order dated 05.07.2013 passed in Cr. Misc. No. 9046 of 2013 by which 12 similarly situated co-accused have been granted anticipatory bail.

Learned A.P.P. does not dispute the fact that the petitioner is similarly situated to the persons who have been granted anticipatory bail by co-ordinate Benches.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in Sanjhauli P.S. Case No. 59 of

2012 dated 14.11.2012 corresponding to G. R. No. 1550 of 2012, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

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