

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28076 of 2016

Arising Out of PS.Case No. -151 Year- 2013 Thana -VIJAYPUR District- GOPALGANJ

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1. Kanhaiya Bhagat, Son of Bikram Bhagat, Resident of Village- Dhanpur, P.S. Vijaipur, District- Gopalganj.
 2. Bhim Yadav, son of Ram Ishwar Yadav, Resident of Village- Sarupai, P.S Vijaipur, District- Gopalganj.
 3. Pannelal Yadav @Pannelal Yadav, son of Nagina Yadav, Resident of Village Chaumukha, P.S. Vijaypur, District- Gopalganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 25-07-2016 Heard Sri Mritunjay Prasad Singh, learned counsel
for the petitioners and learned Addl. Public Prosecutor.

Three petitioners, apprehending their arrest in Bijaipur P.S. Case no.151/2013 registered for the offence under Section 147,148, 149, 332, 333, 307, 337, 338, 353, 427, 379, 109 of the Indian Penal Code, have prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioners that in the F.I.R. there is general and omnibus allegation against the petitioners. He further submits that in this case, number of accused persons have been extended the privilege

of anticipatory bail vide Cr.Misc.No. 11241 of 2016, Cr.Misc.No.29876 of 2015, Cr.Misc.No. 38431 of 2015 and other Anticipatory Bail Petitions, whereas learned Addl. Public Prosecutor, opposing the prayer for anticipatory bail, submits that it is true that many accused persons have been extended the privilege of anticipatory bail but the prayer for anticipatory bail of the some of the accused have also been rejected.

Keeping in view the nature of accusation as well as the fact that almost in similar accusation, some of the accused persons have been extended the privilege of anticipatory bail, there is no reason to deny the same relief to the petitioners. Let three petitioners, namely, (i) Kanhaiya Bhagat (ii) Bhim Yadav (iii) Pannelal Yadav @ Pannelal Yadav, in the event of their arrest or surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj in connection with Bijaipur P.S. Case no.151/2013 subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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