

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28403 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -WAJIRGANJ District- GAYA

- =====
1. Vikash Kumar Son of Ram Briksh Prasad
 2. Mithlesh Kumar Son of Sideshar Prasad
 3. Bablu Kumar Son of sitan Prasad
- All Resident of village- Tarawana, P.S. - Wazirganj, District- Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kr. Jha
Mr. Md. Javed Jafar Khan
For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 27-07-2016 Sri Manoj Kumar Jha, learned counsel, who was assisted by Mr. Md. Javed Jafar Khan, learned counsel for petitioners submits that in paragraph – 1 of the petition, due to inadvertence, Section 307 has not been incorporated. He makes a prayer for allowing learned counsel for petitioners to make correction in paragraph -1.

The prayer is allowed. It may be done in course of the day.

Heard Sri Manoj Kumar Jha, learned counsel, who was assisted by Mr. Md. Javed Jafar Khan, learned counsel for petitioners and Sri Bhanu Pratap Singh, learned Addl. Public Prosecutor.

Three petitioners, apprehending their arrest in Wazirganj P.S. Case No. 32 of 2016 registered for the offence under Sections 341, 323, 307, 385, 504/34 of the Indian Penal Code, have prayed for grant of anticipatory bail purely on the ground of parity.

Learned counsel for petitioners submits that one co-accused namely Binod Kushwaha @ Binod Prasad Kushwaha @ Umesh Prasad @ Binod Prasad has been granted anticipatory bail by a Bench of this Court, vide order dated 05-05-2016 passed in Cr. Misc. No. 17801 of 2016. It has been argued that petitioners' case also stands on similar footing. By way of referring to statement made in paragraph – 3 of the petition, it has been submitted that petitioners are having clean antecedent.

Keeping in view the fact that one of the co-accused, having similar accusation, has already been granted anticipatory bail by this Court, vide order dated 05-05-2016 passed in Cr. Misc. No. 17801 of 2016, there is no reason to deny the prayer of petitioners for bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let all the petitioners namely 1. Vikash Kumar, 2. Mithlesh Kumar and 3. Bablu Kumar be enlarged on bail on furnishing bail-bonds of **Rs. 10,000/-** (ten

thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya in connection with Wazirganj P.S. Case No. 32 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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