

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29110 of 2016

Arising Out of PS.Case No. -148 Year- 2016 Thana -SUPAUL District- SUPAUL

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Anand Vishwash Son of Shyamdev Kamal resident of Village- Nagar
Parishad, Ward No.24, Police Station- Supaul, District- Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 27-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Supaul P. S. Case No. 148 of 2016 registered under Sections
341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code.

It is contended by learned counsel for the petitioner
that the case of the petitioner stands on identical footing to that
of co-accused Devnand Kamat, Guddu Kamat, Somani Devi
and Manchan Devi who have already been granted privilege of
pre-arrest bail by the court below. The specific allegation of
assault with *Dabiya* on the husband and brother-in-law of the
informant is against co-accused Shyamdev Kamat and not

against the petitioner. It is also contended that the allegation of taking Rs.25,000/- from the pocket of Shivram Kamat is nothing but super addition in order to make the offence grave.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Regard being had to the general and omnibus nature of allegation against the petitioner and his case being more or less identical to that of other co-accused, who have already been granted pre-arrest bail by the court below as also the fact that main allegation of assault with *Dabiya* on the husband and brother-in-law of the informant is against Shyamdev Kamat, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in Supaul P. S. Case No. 148 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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