

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41641 of 2016

Arising Out of PS.Case No. -384 Year- 2015 Thana -DIGHA District- PATNA

=====

1. Kamlesh Kumar @ Kamlesh Rai son of Sheela Rai resident of Akhara Road, Yaduvanshi Nagar, Digha Bagicha, Police Station - Digha, District - Patna. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. Amit Kumar Rakesh

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 29-09-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Digha Police Station Case No. 384 of 2015, disclosing offences under Sections 147, 148, 149, 341, 323, 325, 307 and 385 of the Indian Penal Code.

Referring to the First Information Report, learned Counsel appearing on behalf of the petitioner has submitted that there is no specific allegation of assault against him, though such allegation is there against other co-accused person, namely, Sudhir Kumar. He has submitted that except for the allegation that petitioner was also there when the occurrence had taken place, there is nothing against him. It has also been submitted that said Sudhir Kumar has been granted regular bail by this Court

vide order, dated 18.05.2016, passed in Criminal Misc. No. 20533 of 2016.

Considering the above submissions, this application is allowed.

Let the petitioner, Kamlesh Kumar @ Kamlesh Rai, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Md. Imam Khan, learned Judicial Magistrate, 1st Class, Patna, in connection Digha Police Station Case No. 384 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-c

U	✓	T	✓
---	---	---	---