

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31347 of 2017

Arising Out of PS.Case No. -601 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Suresh Kumar @ Suresh Prasad Son of Baiju Prasad, Resident of
Amlapatti, P.S.- Chhatauni, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Motihari (Town) P.S. Case No. 601 of 2016 registered under sections 302 and 120B/34 of the Indian Penal Code and section 27 of the Arms Act.

From perusal of the FIR, it appears that the petitioner is one of the members of the mob. In the FIR there is allegation or overt act against one Rohit. There is no allegation or overt act against this petitioner. In the FIR there is no reference that the petitioner was equipped with any arms.

Counsel for the petitioner submits that similarly circumstanced other co-accused Avinash Kumar and Amiri Lal



have been granted anticipatory bail by this Court in Cr. Misc No. 28648/2017 vide order dated 06-07-2017.

Considering the fact that no overt act is attributed against the petitioner and the fact that similarly circumstanced co-accused Avinash Kumar and Amiri Lal have already been granted anticipatory bail, on the ground of parity, I am inclined to enlarge the petitioner, above named, in the event of arrest/ surrender within a period of four weeks from today, on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari (Town) P.S. Case No. 601 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Anil Kumar Upadhyay, J)

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