

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46454 of 2016

Arising Out of PS.Case No. -183 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Anup Kumar Srivastava, Son of Late Prem Shankar Lal, Resident of Village- Amarpura, P.O. Belauri, P.S. Mohania, District- Kaimur (Bhabhua), at present as an Advocate, Allahabad High Court, Allahabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramji Kumar, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 18-01-2017 Heard both sides.

The petitioner apprehends his arrest in Mohania P.S. Case No. 183/2016, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code, section 27 of the Arms Act and sections 47, 53(2)(b) of the Bihar Excise Act.

The informant named seven persons including the petitioner. The petitioner's name appeared at Sl. No. 3. It is alleged that all the accused persons assaulted the informant with stick.

Learned counsel for the petitioner submits that Bittu Sinha @ Bittu Kumar whose name appeared at Sl. No. 7 and



Santosh Kumar Sinha @ Santosh Srivastava @ Bhola Lal whose name appeared at Sl. No. 6 in the written application have already been enlarged on bail vide order passed in Cr. Misc. 47303/2016. The case of petitioner stands on better footing, as no specific allegation of assault is made against the petitioner. Specific allegation of assault is made against Paramhansh Ram and Santosh Srivastava.

Learned A.P.P. however, opposed the prayer for anticipatory bail of the petitioner and submitted that petitioner is also alleged to have assaulted the informant along with other accused persons and petitioner has got criminal antecedent. He is accused in Mohania P.S. Case No. 183/2015.

Considering the facts aforesaid that almost on same and similar allegation Bittu Kumar and Santosh Srivastava have already been granted anticipatory bail vide order dated 13.12.2016 passed in Cr. Misc. 47303/2016 and the case of the petitioner stands on better footing, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhabhua



(Kaimur) in connection with Mohania P.S. Case No. 183/2016,
subject to the conditions as laid down under Section 438(2) of the
Cr. P.C.

(Prabhat Kumar Jha, J.)

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