

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40449 of 2017

Arising Out of PS.Case No. -317 Year- 2016 Thana -AGAMKUAN District- PATNA

=====

Jashu Kumar, Son of Sri Ram Vivek Prasad, Resident of Patna Science College Campus, Ashok Raj Path, P.S.- Pirbahore, District- Patna. at present residing at Sakari Gali Ghat, P.S.- Alamganj, Patna City, Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rohit Mishra

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY

ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioner and the State.

Petitioner is apprehending arrest in connection with Agamkuan P.S. Case No. 317 of 2016 for an offence under sections 419, 420, 408, 457, 468, 471 and 120B of the Indian Penal Code.

Counsel for the petitioners submits that for the same occurrence earlier FIR no. 290 of 2016 was registered in the same police station on 19.08.2016 in which this petitioner has been granted anticipatory bail by this court in Cr. Misc. No. 35705 of 2017. He submits that the second FIR for the same occurrence is not maintainable. The second case was registered in the instant case and in view of the registration of the second case on the same set of fact, the petitioner is apprehending arrest.



Counsel for the petitioner submits that once the petitioner has been granted anticipatory bail in connection with case no. 290 of 2016, the petitioner deserves anticipatory bail in this case.

Counsel for the State is not in a position to dispute this fact that the petitioner has been granted anticipatory bail for the same occurrence in Cr. Misc. No. 35705 of 2017 and the fact that the present case is the second FIR for the same occurrence the petitioner deserves anticipatory bail. Accordingly, the petitioner, named above, is directed to be released on bail in the event of arrest or surrender before the court below within a period of eight weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, in connection with Agamkuan P.S. Case No. 317 of 2016 subject to the condition as laid down under section 438(2) of the Cr.P.C. with further condition that the petitioner will cooperate in the investigation and will not, in any manner, influence the evidence or the witnesses.

Ravi/-

(Anil Kumar Upadhyay, J)

U		T	
---	--	---	--

