

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6433 of 2017

Arising Out of PS.Case No. -327 Year- 2016 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Bittu Kumar son of Kishori Mahto
2. Praveen Pandit son of Ram Pandit
Both are resident of village- Mir Bigha, P.S.- Warsaliganj, District-
Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar
For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-02-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Bihar Police Station Case No. 327 of 2016, disclosing
offences under Sections 467, 468, 471, 414, 420, 120 (B) of the
Indian Penal Code.

Learned counsel for the petitioners has submitted
that the petitioners have been implicated in this case merely on
the ground of confessional statement of co-accuse, namely,
Kanhaiya Kumar, who has already been granted bail by a co-
ordinate Bench of this Court in Cr. Misc. No. 51453 of 2016.
Since the co-accused, Kanhaiya Kumar, on whose statement,
these petitioners have been implicated in this case, has been



granted bail, nothing remains for these petitioners, which made them liable to be punished for alleged offence, which has not been committed by them, in any manner. Moreover, nothing incriminating has been recovered from the possession of these petitioners. Hence, the petitioners also deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, 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 learned Chief Judicial Magistrate, Nalanda at Bihar Sharif, in connection with Bihar Police Station Case No. 327 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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