

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7161 of 2018

Arising Out of PS. Case No.-26 Year-2017 Thana- UPHARA District- Aurangabad

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Shailesh Kumar @ Shailesh Singh, Son of Anirudh Singh, Resident of
Village- Saharsa, P.S.- Uphara, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-04-2018 Heard the learned Senior Counsel for the petitioner
and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Uphara P.S. Case No. 26 of 2017 registered for the offence punishable under Sections 147, 148, 149, 302, 341, 323, 324, 326, 307, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons having assaulted the informant side resulting in some persons receiving injuries and one person is said to have died.

The learned counsel for the petitioner submits that as far as the petitioner is concerned, he is said to have been armed with knife, but there is no allegation of any overt act as far as the petitioner is concerned. It is further submitted that similarly



situated co-accused persons have been granted anticipatory bail by an order dated 15.02.2018 passed in Criminal Miscellaneous No. 7714 of 2018 and dated 17.02.2018 passed in Criminal Miscellaneous No. 7879 of 2018. It is further submitted that the petitioner is having a clean antecedent.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Daudnagar, District-Aurangabad in connection with Uphara P.S. Case No. 26 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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