

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12830 of 2018

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

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1. Mritunjay Singh @ Mritunjay Kumar Singh, son of Late Shyam Saroj Singh, Resident of Village- Saharsa, Police Station- Uphara, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Prasad Singh, Sr. Advocate
Mr. Kamendra Pd. Singh

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-04-2018 The petitioner is apprehending his arrest in connection with Uphara P.S. Case No. 26 of 2017, registered for offences punishable under Sections 147, 148, 149, 302, 341, 323, 324, 326, 307 and 506 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner and others is of catching hold the informant allowing other accused persons to stab the informant.

It has been submitted on behalf of the petitioner that only allegation against the petitioner is that he caught hold the informant and no further allegation of any overt act has been mentioned against him and he was not even armed with any weapon. Further co-accused of this case against whom there was



allegation of assaulting the informant by *lathi*, has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 17.02.2018, passed in Cr. Misc. No. 7879 of 2018

Heard learned A.P.P. as well as learned counsel for the informant. They have opposed the prayer for bail on the ground that petitioner has caught hold the informant.

Having heard both sides, considering the facts and circumstances of the case and also the fact that other co-accused against whom there was allegation of assaulting the informant by *lahti*, has already been granted the privilege of anticipatory bail, as such, let 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, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate – 1st Class, 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 Cr.P.C. it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable



property within the jurisdiction of the concerned Court.

- (ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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