

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11504 of 2018

Arising Out of PS.Case No. -296 Year- 2017 Thana -GORICHAK District- PATNA

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1. Narendra Kumar @ Narnedra Kumar S/o Surya Nath Singh
2. Surya Nath Singh @ Suraj Nath Singh S/o Late Maksudan Singh
3. Om Prakash Kumar S/o Bhirgunath Singh
4. Santosh Kumar S/o Bhirgunath Singh
5. Pintu Kumar @ Pintu Singh @ Chhote S/o Bhirgunath Singh. All are
resident of village-Taranpur, P.S. Gaurichak, District-Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-02-2018 Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner no.1 Narendra Kumar @ Narnedra Kumar and petitioner no.4 Santosh Kumar respectively.

Prayer is allowed.

The anticipatory bail petition of petitioner no.1 and petitioner no.4 is dismissed as withdrawn.

Heard both sides.

The petitioners apprehend their arrest in Gaurichak P.S. Case No.296/2017, registered under Sections 353, 341, 323, 224, 225, 147, 148 and 149 of the Indian Penal Code.

The informant, A.S.I. of Gaurichak Police Station



alleged that he went to arrest the accused in connection with Gaurichak P.S. Case No.18.2017 but petitioners Narendra Kumar, Santosh Kumar, Om Prakash Kumar, Pintu Kumar @ Pintu Singh surrounded the informant. Narendra Kumar, the petitioner no.1, whose anticipatory bail petition is dismissed as withdrawn, assaulted the informant with lathi on hand and Santosh Kumar, petitioner no.4, whose anticipatory bail petition is also dismissed as withdrawn, is alleged to have slapped the informant. Thereafter all the accused persons are alleged to have confined the informant and made him captive.

Learned counsel for the petitioners submits that petitioners are of course named in the F.I.R. but no specific allegation is made against them. The petitioners were mere spectators. On similar allegation five other accused persons namely Vijay Kumar Akela @ Vijay Singh Akela, Pushkar Kumar @ Bittu, Prabhakar @ Sittu @ Prabhakar Kumar, Diwakar @ Rinku @ Diwakar Kumar and Rohit Kumar have already been granted anticipatory bail vide order dated 01.02.2018 passed in Cr. Misc. No. 4106 of 2018.

Considering the fact that on same and similar allegation other accused persons have already been granted anticipatory bail by co-ordinate Bench of this Court, the petitioners namely Surya



Nath Singh @ Suraj Nath Singh, Om Prakash Kumar, Pintu Kumar @ Pintu Singh @ Chhote in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patna City, Patna, in connection with Gaurichak P.S. Case No.296/2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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