

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7190 of 2018

Arising Out of PS. Case No.-137 Year-2017 Thana- KHAJEKALLAN District- Patna

Kundan S/o Bhikhari Paswan, R/o Village- Jhopad Patti, Neem Ghat, P.S.-
Khaje Kalan, Sub-Division- Patna City, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Srivastava

For the Opposite Party/s : Mr. SRI BHANU PRATAP SINGH

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2018 Heard the learned 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 Khaje Kalan P.S. Case No. 137 of 2017
registered for the offence punishable under Sections 147, 148,
149, 302 and 201 of the Indian Penal Code.

The allegation of the prosecution is that the
deceased was assaulted by 25 named accused persons and 50-60
other persons with bricks, stones etc.

The name of the accused persons have been given
on the basis of the C.C.T.V. footage.

The learned counsel for the petitioner submits that
there is no allegation of any specific overt act against the
petitioner herein and the opinion about the death of the deceased
has been reserved by the Doctor conducting the postmortem as
well as Viscera has been kept preserved. The learned counsel for



the petitioner further submits that similarly situated co-accused persons have already been granted anticipatory bail by this Court by an order dated 21.11.2017 passed in Criminal Miscellaneous No. 52186 of 2017.

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 Sub-Divisional Judicial Magistrate, Patna City in connection with Khaje Kalan P.S. Case No. 137 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is directed that the petitioner shall join investigation and he should be present at the place where he is directed to appear by the investigating agency and in case, he does not cooperate with the investigation, the prosecution would be free to approach this Court for cancellation of bail.

(Mohit Kumar Shah, J)

ajay gupta/-

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

